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[Contract]

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, COMMUNITY HEALTH PROMOTION AND PREVENTION, TO ENTER RETROACTIVELY INTO A SUBCONTRACT AGREEMENT IN THE AMOUNT OF \$66,134 WITH THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, THE PRIMARY CONTRACTOR, TO PROVIDE HOME SAFETY SERVICES TO SAN FRANCISCO SENIORS, WHICH DOES NOT INCLUDE PATENT INFRINGEMENT INDEMNIFICATION AND FALSE CLAIMS CLAUSES; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

WHEREAS, The University of California San Francisco has received funds from the Department of Health and Human Services, National Institute on Aging; and,

WHEREAS, The University of California San Francisco as the primary contractor has requested the Department of Public Health, the Collaborating Institution, to enter into an Agreement (the "Agreement"), a copy of which is on file with the Clerk of the Board of Supervisors in File No. 991994; and

WHEREAS, The University of California San Francisco has indicated that it will not agree to any modification to the form of the Agreement; and

WHEREAS, The University of California has agreed to reimburse the Department of Public Health in the amount of \$66,134 to fund the project "Safe Houses: Meanings of Home Modifications as Self Care"; and,

WHEREAS, The Agreement does not contain certain provisions described below, which are required under the Administrative Code unless waived by the Board of Supervisors; now, therefore, be it

RESOLVED, That the Department of Public Health is hereby authorized to enter into the Agreement on behalf of the City; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement contained in Sections 6.21 and 21.19 of the Administrative Code that the Agreement include an indemnification by the University of California San Francisco of the City for the infringement of patent rights; and, be it

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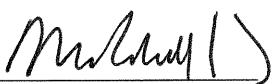
FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement contained on Section 6.57(c) of the Administrative Code that the Agreement include a paragraph reciting the false claim provisions contained in Section 6.57 (a) of the Administrative Code; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Health to enter into similar agreements with the University of California if the grant recurs or is renewed; and, be it


FURTHER RESOLVED, That although the City has incurred no legal obligation, the Board of Supervisors does hereby ratify the action previously taken; and, be it

FURTHER RESOLVED, The Controller should be urged to designate the positions created in the Agreement as a "G" or grant-funded positions, which would terminate when the grant expires.

RECOMMENDED:

  
\_\_\_\_\_  
Director of Health

APPROVED:

  
\_\_\_\_\_  
Health Commission

Department of Public Health



# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails

### Resolution

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**File Number:** 991994

**Date Passed:**

Resolution authorizing the Department of Public Health, Community Health Promotion and Prevention, to enter retroactively into a subcontract agreement in the amount of \$66,134 with the Regents of the University of California, the primary contractor, to provide home safety services to San Francisco seniors, which does not include patent infringement indemnification and false claims clauses; providing for ratification of action previously taken.

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November 22, 1999 Board of Supervisors — ADOPTED

Ayes: 9 - Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Absent: 1 - Ammiano

Excused: 1 - Becerril

File No. 991994

I hereby certify that the foregoing Resolution was ADOPTED on November 22, 1999 by the Board of Supervisors of the City and County of San Francisco.

NOV 24 1999

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Date Approved



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Gloria L. Young  
Clerk of the Board



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Mayor Willie L. Brown Jr.