

1 [Contract]

2  
3 AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO ENTER INTO A SUBCONTRACT  
4 IN THE AMOUNT OF \$13,846 WITH THE UNIVERSITY OF CALIFORNIA, THE PRIMARY  
5 CONTRACTOR, TO COLLABORATE IN THE "CONNIE WOFSY WOMENS HIV STUDY" TO BE  
6 RESPONSIBLE FOR THE SCIENTIFIC CONDUCT OF THIS PROJECT, AND WHICH INCLUDES  
7 INDEMNIFICATION CLAUSES AND WHICH DOES NOT INCLUDE PATENT INFRINGEMENT  
8 INDEMNIFICATION AND FALSE CLAIMS CLAUSES; RETROACTIVE TO JULY 1, 1998.

8 WHEREAS, The University of California has received funds through the National Institutes of  
9 Health, Department of Health and Human Services, for a project entitled: the "Connie Wofsy Womens  
10 HIV Study"; and

11 WHEREAS, The University of California, as the primary contractor, has requested that the  
12 San Francisco City and County Department of Public Health, enter into a subcontract to participate in  
13 this project; and

14 WHEREAS, The subcontract specifies that Herminia Palacio, M.D., is designated as the Project  
15 Director who shall be responsible for the scientific conduct of the project covered by this Agreement  
16 during the term of the subcontract; and;

17 WHEREAS, The University of California has agreed to reimburse the San Francisco City and  
18 County Department of Public Health in the amount of \$13,846, which includes indirect costs in the  
19 amount of \$2,587 based on 22.98% of salary under the terms of this subcontract; and

20 WHEREAS, As a condition of receiving the funds, the University of California requires the City  
21 to enter into an agreement (the "Agreement"), a copy of which is on file with the Clerk of the Board of  
22 Supervisors in File No. 98-1498 ; and

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

25 WHEREAS, The Agreement contains certain provisions described below, which require the  
approval of the Board of Supervisors; 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; and,

1 WHEREAS, the Board of Supervisors desires to authorize the Department of Public Health, on  
2 behalf of the City, to enter into the agreement in order to receive and expend the funds for this and any  
3 future years; now, therefore, be it

4 RESOLVED, That the San Francisco City and County Department of Public Health is hereby  
5 authorized to enter into a subcontract in the amount of \$13,846 with the University of California, the  
6 Primary Contractor, to be responsible for the scientific conduct of the project covered by this Agreement;  
7 retroactive to July 1; and, be it

8 FURTHER RESOLVED, That the Board of Supervisors hereby approves the provision in the  
9 Agreement pursuant to which the City indemnifies University of California; and, be it

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

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

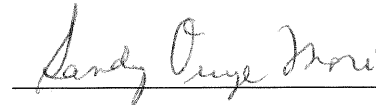
17 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Public Health  
18 to enter into similar agreements with the University of California if the contract is renewed.

19 RECOMMENDED:

20 

21 Mitchell Katz, M.D.  
22 Director of Health

23 APPROVED:

24 

25 Health Commission

Department of Public Health



# City and County of San Francisco

Veterans Building  
401 Van Ness Avenue, Room 308  
San Francisco, CA 94102-4532

## Tails

### Resolution

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**File Number:** 981498

**Date Passed:**

Resolution authorizing the Department of Public Health to enter into a subcontract in the amount of \$13,846 with the University of California, the primary contractor, to collaborate in the "Connie Wofsy Womens HIV Study" to be responsible for the scientific conduct of this project, and which includes indemnification clauses and which does not include patent infringement indemnification and false claims clauses; retroactive to July 1, 1998.

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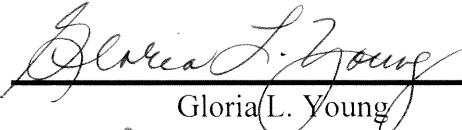
October 19, 1998 Board of Supervisors — ADOPTED

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng,  
Yaki, Yee

Absent: 1 - Newsom

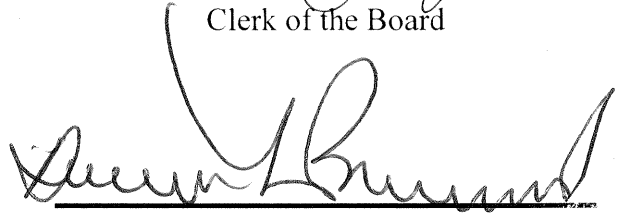
File No. 981498

I hereby certify that the foregoing Resolution was ADOPTED on October 19, 1998 by the Board of Supervisors of the City and County of San Francisco.

  
\_\_\_\_\_  
Gloria L. Young  
Clerk of the Board

OCT 30 1998

Date Approved

  
\_\_\_\_\_  
Mayor Willie L. Brown Jr.