

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

COLLEEN CHAWLA, Director



AGENDA August 3, 2021

OFFICE OF AGENCY DIRECTOR

1000 San Leandro Blvd, Suite 300

San Leandro, CA 94577

TEL (510) 618-3452

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July 12, 2021

The Honorable Board of Supervisors
County Administration Building
1221 Oak Street
Oakland, CA 94612

SUBJECT: ACCEPT THE TUBERCULOSIS LETTER OF AWARD FROM THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH FOR THE ALAMEDA COUNTY PUBLIC HEALTH DEPARTMENT, DIVISION OF COMMUNICABLE DISEASE CONTROL AND PREVENTION

Dear Board Members:

RECOMMENDATIONS:

- A. Accept the California Department of Public Health Tuberculosis Local Assistance grant award to support the Alameda County Tuberculosis Control and Prevention program for the period of 7/1/21 – 6/30/22 in the total award amount of \$756,659, for the following:
1. \$713,651 for the Base Award (Award No. 2160BASE00) consist of \$308,573 state and \$405,078 federal funding;
 2. \$43,008 for the Food, Shelter, Incentive and Enablers Award (Allotment No. 2160FSIE00) funded solely by State; and
- B. Delegate authority to the Agency Director, or designee, to execute future award augmentation, subject to review and approval as to form by County Counsel, and submit executed copies to the Clerk of the Board for filing.

SUMMARY/DISCUSSION:

The Tuberculosis (TB) Local Assistance Base Award and allotment for Food, Shelter, Incentive and Enablers (FSIE) from the California Department of Public Health (CDPH) are a combination of State and Federal funding. The TB Local Assistance Base fund will be used to perform and support activities that address the top national priorities of Centers for Disease Control to reduce morbidity of TB in the United States through the following strategies:

- Maintain control of TB. Sustain the decline in TB incidence through timely diagnosis of active or infectious TB disease; appropriate treatment and management of persons with active TB disease (both drug-susceptible and drug-resistant); investigation, evaluation and treatment of contacts of contagious TB cases; and prevention of further transmission through infection control.
- Accelerate the decline of TB. Advance toward TB elimination through targeted testing and treatment of persons afflicted with latent TB infection (LTBI), those with TB mycobacterium but not in active and infectious stage; appropriate localization of TB control activities; rapid recognition of TB transmission using DNA fingerprinting methods; and rapid outbreak response.

CDPH promotes efforts to prevent future TB cases by maximizing treatment initiation and completion for LTBI in high-risk populations, use of the shortest effective LTBI treatment regimens, and increasing access to adherence technologies to enhance follow-up and treatment completion.

The FSIE fund is used for patient housing including provision of temporary shelter and/or hospitalization of acutely ill and highly infectious homeless patients, medical transportation, food vouchers and other enabler incentives to improve completion of TB therapy. This allotment enhances treatment adherence, prevents homelessness, reduces the number of homeless patients lost to follow-up, and promotes least restrictive alternatives that decrease or obviate the need to detain and quarantine patients.

CDPH grants augmentations to this award depending on the remaining funds available after the regular allocations to local health jurisdictions (LHJ). The State however has stringent timeline requirements in receiving and executing additional awards to accommodate supplemental funding requests by other LHJs and adherence to its budgetary constraints. As such, it would be expedient for the Health Care Services Agency Director or designee to execute grant amendment on occasion when your Board cannot act timely within the acceptance time limit imposed by the State.

FINANCING:

Funding for the awards is included in FY2021-22 approved budget. There is no impact to net County cost as a result of approving the above recommendations.

VISION 2026 GOAL

TB prevention, care, and treatment services meet the 10X goal pathways of **Healthcare for All** in support of our shared visions of **Thriving and Resilient Population** and **Healthy Environment**.

Sincerely,

DocuSigned by:



Colleen Chawla, Director
Health Care Services Agency

Contractor Certification Clauses

CERTIFICATION

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective Contractor to the clause(s) listed below. This certification is made under the laws of the State of California.

Contractor/Bidder Firm Name (Printed)	Federal ID Number
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By (Authorized Signature)

Printed Name and Title of Person Signing

Date Executed	Executed in the County of
---------------	---------------------------

CONTRACTOR CERTIFICATION CLAUSES

1. STATEMENT OF COMPLIANCE: Contractor has, unless exempted, complied with the nondiscrimination program requirements. (Gov. Code §12990 (a-f) and CCR, Title 2, Section 11102) (Not applicable to public entities.)

2. DRUG-FREE WORKPLACE REQUIREMENTS: Contractor will comply with the requirements of the Drug-Free Workplace Act of 1990 and will provide a drug-free workplace by taking the following actions:

a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.

b. Establish a Drug-Free Awareness Program to inform employees about:

- 1) the dangers of drug abuse in the workplace;
- 2) the person's or organization's policy of maintaining a drug-free workplace;
- 3) any available counseling, rehabilitation and employee assistance programs; and,
- 4) penalties that may be imposed upon employees for drug abuse violations.

c. Every employee who works on the proposed Agreement will:

- 1) receive a copy of the company's drug-free workplace policy statement; and,

2) agree to abide by the terms of the company's statement as a condition of employment on the Agreement.

Failure to comply with these requirements may result in suspension of payments under the Agreement or termination of the Agreement or both and Contractor may be ineligible for award of any future State agreements if the department determines that any of the following has occurred: the Contractor has made false certification, or violated the certification by failing to carry out the requirements as noted above. (Gov. Code §8350 et seq.)

3. NATIONAL LABOR RELATIONS BOARD CERTIFICATION: Contractor certifies that no more than one (1) final unappealable finding of contempt of court by a Federal court has been issued against Contractor within the immediately preceding two-year period because of Contractor's failure to comply with an order of a Federal court, which orders Contractor to comply with an order of the National Labor Relations Board. (Pub. Contract Code §10296) (Not applicable to public entities.)

4. CONTRACTS FOR LEGAL SERVICES \$50,000 OR MORE- PRO BONO REQUIREMENT: Contractor hereby certifies that Contractor will comply with the requirements of Section 6072 of the Business and Professions Code, effective January 1, 2003.

Contractor agrees to make a good faith effort to provide a minimum number of hours of pro bono legal services during each year of the contract equal to the lesser of 30 multiplied by the number of full time attorneys in the firm's offices in the State, with the number of hours prorated on an actual day basis for any contract period of less than a full year or 10% of its contract with the State.

Failure to make a good faith effort may be cause for non-renewal of a state contract for legal services, and may be taken into account when determining the award of future contracts with the State for legal services.

5. EXPATRIATE CORPORATIONS: Contractor hereby declares that it is not an expatriate corporation or subsidiary of an expatriate corporation within the meaning of Public Contract Code Section 10286 and 10286.1, and is eligible to contract with the State of California.

6. SWEATFREE CODE OF CONDUCT:

a. All Contractors contracting for the procurement or laundering of apparel, garments or corresponding accessories, or the procurement of equipment, materials, or supplies, other than procurement related to a public works contract, declare under penalty of perjury that no apparel, garments or corresponding accessories, equipment, materials, or supplies furnished to the state pursuant to the contract have been laundered or produced in whole or in part by sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor, or with the benefit of sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor. The contractor further declares under penalty of perjury that they adhere to the Sweatfree Code of Conduct as set forth on the California Department of Industrial Relations website located at www.dir.ca.gov, and Public Contract Code Section 6108.

b. The contractor agrees to cooperate fully in providing reasonable access to the contractor's records, documents, agents or employees, or premises if reasonably required by authorized officials of the contracting agency, the Department of Industrial Relations, or the Department of Justice to determine the contractor's compliance with the requirements under paragraph (a).

7. DOMESTIC PARTNERS: For contracts of \$100,000 or more, Contractor certifies that Contractor is in compliance with Public Contract Code section 10295.3.

8. GENDER IDENTITY: For contracts of \$100,000 or more, Contractor certifies that Contractor is in compliance with Public Contract Code section 10295.35.

DOING BUSINESS WITH THE STATE OF CALIFORNIA

The following laws apply to persons or entities doing business with the State of California.

1. CONFLICT OF INTEREST: Contractor needs to be aware of the following provisions regarding current or former state employees. If Contractor has any questions on the status of any person rendering services or involved with the Agreement, the awarding agency must be contacted immediately for clarification.

Current State Employees (Pub. Contract Code §10410):

1). No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any state agency, unless the employment, activity or enterprise is required as a condition of regular state employment.

2). No officer or employee shall contract on his or her own behalf as an independent contractor with any state agency to provide goods or services.

Former State Employees (Pub. Contract Code §10411):

1). For the two-year period from the date he or she left state employment, no former state officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the contract while employed in any capacity by any state agency.

2). For the twelve-month period from the date he or she left state employment, no former state officer or employee may enter into a contract with any state agency if he or she was employed by that state agency in a policy-making position in the same general subject area as the proposed contract within the 12-month period prior to his or her leaving state service.

If Contractor violates any provisions of above paragraphs, such action by Contractor shall render this Agreement void. (Pub. Contract Code §10420)

Members of boards and commissions are exempt from this section if they do not receive payment other than payment of each meeting of the board or commission, payment for preparatory time and payment for per diem. (Pub. Contract Code §10430 (e))

2. LABOR CODE/WORKERS' COMPENSATION: Contractor needs to be aware of the provisions which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions, and Contractor affirms to comply with such provisions before commencing the performance of the work of this Agreement. (Labor Code Section 3700)

3. AMERICANS WITH DISABILITIES ACT: Contractor assures the State that it complies with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. 12101 et seq.)

4. CONTRACTOR NAME CHANGE: An amendment is required to change the Contractor's name as listed on this Agreement. Upon receipt of legal documentation of the name change the State will process the amendment. Payment of invoices presented with a new name cannot be paid prior to approval of said amendment.

5. CORPORATE QUALIFICATIONS TO DO BUSINESS IN CALIFORNIA:

a. When agreements are to be performed in the state by corporations, the contracting agencies will be verifying that the contractor is currently qualified to do business in California in order to ensure that all obligations due to the state are fulfilled.

b. "Doing business" is defined in R&TC Section 23101 as actively engaging in any transaction for the purpose of financial or pecuniary gain or profit. Although there are some statutory exceptions to taxation, rarely will a corporate contractor performing within the state not be subject to the franchise tax.

c. Both domestic and foreign corporations (those incorporated outside of California) must be in good standing in order to be qualified to do business in California. Agencies will determine whether a corporation is in good standing by calling the Office of the Secretary of State.

6. RESOLUTION: A county, city, district, or other local public body must provide the State with a copy of a resolution, order, motion, or ordinance of the local governing body which by law has authority to enter into an agreement, authorizing execution of the agreement.

7. AIR OR WATER POLLUTION VIOLATION: Under the State laws, the Contractor shall not be: (1) in violation of any order or resolution not subject to review promulgated by the State Air Resources Board or an air pollution control district; (2) subject to cease and desist order not subject to review issued pursuant to Section 13301 of the Water Code for violation of waste discharge requirements or discharge prohibitions; or (3) finally determined to be in violation of provisions of federal law relating to air or water pollution.

8. PAYEE DATA RECORD FORM STD. 204: This form must be completed by all contractors that are not another state agency or other governmental entity.

Darfur Contracting Act

Pursuant to Public Contract Code (PCC) sections 10475-10481, the Darfur Contracting Act's intent is to preclude State agencies from contracting with scrutinized companies that do business in the African nation of Sudan. A scrutinized company is a company doing specified types of business in Sudan as defined in PCC section 10476. Scrutinized companies are ineligible to, and cannot, contract with a State agency for goods or services (PCC section 10477(a)) unless obtaining permission from the Department of General Services according to the criteria set forth in PCC section 10477(b).

Therefore, to be eligible to contract with the California Department of Public Health, please initial **one** of the **following** three paragraphs and complete the certification below:

1. _____
Initials We do not currently have, or we have not had within the previous three years, business activities or other operations outside of the United States.

OR

2. _____
Initials We are a scrutinized company as defined in Public Contract Code section 10476, but we have received written permission from the Department of General Services (DGS) to submit a bid or proposal pursuant to Public Contract Code section 10477(b) or submit a contract/purchase order. A copy of the written permission from DGS is included with our bid, proposal or contract/purchase order.

OR

3. _____
Initials We currently have, or we have had within the previous three years, business activities or other operations outside of the United States, but we certify below that we are not a scrutinized company as defined in Public Contract Code section 10476.

CERTIFICATION

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind this company to the clause listed above. This certification is made under the laws of the State of California.

Company Name (Printed)		Federal ID Number
By (Authorized Signature)		
Printed Name and Title of Person Signing		
Date Executed	Executed in the County and State of	



TOMÁS J. ARAGÓN, M.D., Dr.PH
Director and State Public Health Officer

State of California—Health and Human Services Agency
California Department of Public Health



GAVIN NEWSOM
Governor

June 11, 2021

Nicholas J. Moss, MD, MPH
Health Officer
Alameda County Public Health Department
1000 Broadway, 5th Floor
Oakland, CA 94607

Dear Dr. Moss:

LETTER OF AWARD:

Base Award Number: 2160BASE00

Food, Shelter, Incentives and Enablers Allotment Number: 2160FSIE00

Data Universal Numbering System (DUNS) Number: 101367600

FUNDING PERIOD: July 1, 2021 through June 30, 2022

This letter is confirmation of your local assistance award to support tuberculosis (TB) prevention and control activities in fiscal year (FY) 2021-2022.

BASE AWARD AND FSIE ALLOTMENT

The California Department of Public Health (CDPH) Tuberculosis Control Branch (TBCB) is awarding to the Alameda County Public Health Department a Base Award of \$713,651 and an Allotment of up to \$43,008 for food, shelter, incentives and enablers (FSIE) expenditures. The Base Award is comprised of \$308,573 state and \$405,078 federal funds.* The FSIE Allotment is comprised of state dollars only.

These funds are being awarded with the understanding that your staff will work with CDPH TBCB staff in carrying out your program's TB control efforts. The FSIE Allotment should be used to enhance treatment adherence, prevent homelessness, and/or promote least restrictive alternatives that decrease or obviate the need for detention.

This award is valid and enforceable only if the enacted State of California FY 2021-2022 budget and the 2021 and 2022 Federal budgets make sufficient funds available for the purposes of this program.

* Federal funds fiscal information: Project Grants and Cooperative Agreements for Tuberculosis Control Programs; CFDA number: 93.116; FAIN number: NU52PS910219



MANAGING YOUR BASE AWARD AND FSIE ALLOTMENT

Requirements for the use of these funds are listed in Part 1 of the FY 2021-2022 Tuberculosis Control Local Assistance Funds Standards and Procedures Manual, available at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/TB-Resources-for-LHDs.aspx>. Reimbursement of your expenditures is contingent upon compliance with these standards and procedures.

SUBMITTING BASE AWARD AND FSIE ALLOTMENT INVOICES

- A signed (electronic or in blue ink) invoice must be submitted on your organization's letterhead. Please see the FY 2021-2022 Tuberculosis Control Local Assistance Funds Standards and Procedures Manual for invoicing guidance. Invoice templates are also available on the CDPH TBCB internet site at:
<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/TB-Resources-for-LHDs.aspx>.

- Bill to: California Department of Public Health, Tuberculosis Control Branch
- Submit invoices either as a color scanned PDF via email or hard copy by mail to:
California Department of Public Health
Tuberculosis Control Branch
850 Marina Bay Parkway, Building P, 2nd Floor
Richmond, CA 94804-6403
Attn: Fiscal Analyst

- Invoices for FY 2021-2022 will not be processed until:
 - All outstanding invoices from the previous year have been submitted,
 - Signed copies of the certifications listed below have been received, and
 - The CDPH TBCB has received a signed "Acceptance of Award" form.
- Base Award and FSIE Allotment invoices are due on:

<u>Quarter</u>	<u>Period Covered</u>	<u>Due Date</u>
First	July 1 through September 30	November 15
Second	October 1 through December 31	February 15
Third	January 1 through March 31	May 16
Fourth	April 1 through June 30	August 15

If an invoice will not be emailed by the quarterly due date, please contact the CDPH TBCB Fiscal Analyst to request an extension.

ACCEPTING YOUR BASE AWARD AND FSIE ALLOTMENT

To acknowledge acceptance of this award and the conditions, please return the "Acceptance of Award" form with an authorized signature (electronic or in blue ink).

The following forms also require an authorized signature:

- Darfur Contracting Act
- Special Terms and Conditions
- Contractor Certification Clauses
- Certification of Established Electronic Directly Observed Therapy (eDOT) Policies and Procedures (if applicable)

Submit your signed acceptance and completed certification forms either as a color scanned PDF via email or hard copy by mail to:

California Department of Public Health
Tuberculosis Control Branch
850 Marina Bay Parkway, Building P, 2nd Floor
Richmond, CA 94804-6403
Attn: Fiscal Analyst

REQUESTING ADDITIONAL FUNDS FOR FSIE EXPENDITURES

Should you exceed your FSIE Allotment, a request for additional FSIE funds can be made anytime before May 31, 2022. Requests will be approved if unexpended funds are available. For complete information regarding requests for additional funds, please refer to Part 2, Section 3 of the FY 2021-2022 Tuberculosis Control Local Assistance Funds Standards and Procedures Manual.

Fiscal questions should be directed to your TBCB Fiscal Analyst. Programmatic questions should be directed to your TBCB Program Liaison.

Sincerely,



Juanita Crosby
Assistant Chief



TOMÁS J. ARAGÓN, M.D., Dr.PH
Director and State Public Health Officer

State of California—Health and Human Services Agency
California Department of Public Health



GAVIN NEWSOM
Governor

ACCEPTANCE OF AWARD

Alameda County Public Health Department

Base Award: \$713,651

Base Award Number: 2160BASE00

Food, Shelter, Incentives and Enablers Allotment: \$43,008

Food, Shelter, Incentives and Enablers Allotment Number: 2160FSIE00

Data Universal Numbering System (DUNS) Number: 101367600

Funding Period: July 1, 2021 through June 30, 2022

I hereby accept this award. By accepting this award, I agree to the requirements as described in the FY 2021-2022 Tuberculosis Control Local Assistance Funds Standards and Procedures Manual and any other conditions stipulated by the California Department of Public Health, Tuberculosis Control Branch.

Authorized Signature

Date

Print Name

Title

Approved as to Form:
Donna R. Ziegler, County Counsel

DocuSigned by:
By: K. Joon Oh 6/28/2021
K. Joon Oh, Deputy Counsel

* Federal funds fiscal information: Project Grants and Cooperative Agreements for Tuberculosis Control Programs; CFDA number: 93.116; FAIN number: NU52PS910219

