



August 1, 2017

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

Dear Board Members:

SUBJECT: ACCEPT RYAN WHITE GRANT FROM U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, APPROVE STANDARD AGREEMENT AMENDMENT WITH CALIFORNIA DEPARTMENT OF PUBLIC HEALTH, APPROVE EXPENDITURES FOR THE ANNUAL HIV/AIDS COMMUNITY SERVICES AWARDS CEREMONY AND APPROVE MASTER CONTRACT AMENDMENTS WITH COMMUNITY-BASED ORGANIZATIONS FOR PUBLIC HEALTH DEPARTMENT, OFFICE OF AIDS ADMINISTRATION

RECOMMENDATIONS:

- A. Accept the Ryan White Part A Grant Award from the U.S. Department of Health and Human Services, Health Resources and Services Administration to provide comprehensive HIV Emergency Relief services in the amount of \$7,165,349 for the period 3/1/17 – 2/28/18;
- B. Approve and authorize spending authority to purchase \$25,863 worth of transportation tickets and food vouchers to assist HIV/AIDS clients to meet medical appointments and provide food subsidy funded by the above grant for the period 3/1/17 – 2/28/18;
- C. Authorize the Auditor-Controller to increase appropriation and revenue in the amount of \$187,478 as outlined in the attached Financial Recommendation;
- D. Accept and execute the Standard Agreement Amendment No. 14-10736-A01 with the California Department of Public Health to amend the name of the collaborative partner from Corizon Health to California Forensic Medical Group with no change in both the funding amount of \$240,000 and the contract period of 1/2/15-12/31/17;
- E. Approve expenditures of County general funds in the amount of \$7,000 for the annual HIV/AIDS Community Services Awards Ceremony to be held at Lake Chalet Seafood Bar and Grill in Oakland on November 30, 2017 sponsored by the Alameda County Department of Public Health, Office of AIDS Administration;
- F. Approve master contract amendments with community-based organizations (CBOs) to provide HIV/AIDS care and treatment services under Ryan White grant, increasing the total contract amounts to \$2,088,164 (a net increase of \$157,923 from \$1,930,241) due to reallocation of funds and based on level of services provided, with no change in the service period of 3/1/17 – 2/28/18 as per Attachment A;
- G. Approve amendment to Master Contract No. 900120; Procurement Contract No. 14803, with Tri-City Health Center (Principal: Zettie Page; Location: Fremont) to provide HIV/AIDS care and treatment services under Ryan White Part B due to a reallocation from care quality management activities, increasing the contract amount to \$83,246 (an increase of \$11,651 from \$71,595) with no change in the service period of 4/1/17 – 3/31/18; and

H. Authorize the Public Health Department Director or designee to execute the Master Contract Exhibit A&B amendments above and submit originals to the Clerk of the Board for filing.

SUMMARY/DISCUSSION/FINDINGS:

The Public Health Department (PHD), Office of AIDS Administration (OOA) has received the Notice of Grant Award from the U.S. Department of Health and Human Services Administration for Ryan White Part A in the amount of \$7,165,349. The HIV Emergency Relief Program, under Ryan White Part A, provides funding to Metropolitan Statistical Areas (MSA) or Transitional Geographic Areas (TGA) depending on the number of diagnosed cases of AIDS in the corresponding territories. Alameda and Contra Costa counties consist of the Oakland TGA under this award and provide services under the following categories:

Core Medical Services	Support Services
Outpatient / Ambulatory Health Services	Child Care Services
Oral Health Care	Emergency Financial Assistance
Early Intervention	Other Support Services (includes Legal Services)
Home and Community-Based Health Services	Health Education / Risk Reduction
Mental Health Services	Medical Transportation
Medical Nutrition Therapy	Psychosocial Support Services
Medical Case Management	Food Bank / Home Delivered Meals
Substance Abuse Outpatient Care	

Your Board is requested to accept the Ryan White Part A Grant Award and also approve the spending authority to purchase transportation tickets and food vouchers not to exceed \$25,863 to fulfill the needs for medical transportation and food assistance funded under the RWA grant.

On March 24, 2015, your Board accepted the Standard Agreement No. 14-10736 from the California Department of Public Health to collaborate with Corizon Health in expanding HIV screenings tests in correctional facilities within the County of Alameda local health jurisdiction. Corizon Health is now doing business as California Forensic Medical Group and your Board is requested to approve the amendment to change the name of the designated subcontractor from Corizon Health to California Forensic Medical Group. There is no change to other terms of the contract.

PHD is hosting the annual HIV/AIDS Community Service Awards Ceremony on November 30, 2017 at the Lake Chalet Seafood Bar and Grill in Oakland. Your Board is requested to authorize the event pursuant to the policy adopted on May 13, 1996 requiring Board approval for county-funded ceremonial events costing in excess of \$500. Expenditures for the ceremony include the cost of awards, entertainment, and catering that will be funded through the OAA general fund. This year is the 36th anniversary of the HIV/AIDS epidemic and the occasion coincides with "World AIDS Day." The theme of the celebration is "Access Equity Rights Now." This annual tradition recognizes distinguished individuals involved in HIV/AIDS programs and efforts in the County. Nominations are solicited from the community at large and community-based organizations. Selection criteria include demonstrated commitment to the HIV/AIDS endeavors in the County, length of service, and scope of contribution. It is anticipated that at least 150 community, state, and local representatives will be attending the event.

On March 28, 2017, your Board approved the new master contract amendments with CBOs under both Ryan White Part A and Ryan White Part B. Your Board is requested to approve amendments to modify the funding for contracts listed under recommendations F and G to reallocate funds in the respective contracts to align the amounts with the expected level and category of service activities. These contracts are for the provision of HIV/AIDS care, treatment, outreach, and prevention services in the following core and/or support services categories:

- Medical case management
- Outpatient ambulatory medical care
- Mental health services
- Oral health
- Home and community based health services
- Outpatient substance abuse services
- Early intervention services
- Food bank/home delivered meals
- Emergency financial assistance
- Legal services
- Psychosocial support services
- Housing assistance / emergency housing assistance
- Medical transportation
- Treatment counseling
- Child care services
- Linguistics services
- Vision Care

SELECTION CRITERIA/PROCESS:

In respect of the CBO amendments, all of these contractors are continuing providers of HIV/AIDS services and their previous contracts were approved by your Board. Request for Proposals (RFP) for CBO contracts in the above service categories were conducted at various periods beginning in 2005 and are either current, in process, or will be initiated. Due to risk of treatment disruption to Ryan White funded HIV positive client-provider relationships and the overarching goal of maintaining those clients in quality care, the department is asking your Board to waive the competitive bidding requirements where RFPs are pending for these contractors in order to maintain uninterrupted HIV/AIDS services. These contractors are SLEB-exempt non-profit community-based organizations and their performance has been successful during the past funding periods. The department is currently working with General Services Agency to complete the competitive bidding requirements for various service categories for the next contract period.

FINANCING:

Funding for the Ryan White Part A Grant Award and the HIV /AIDS Community Services Awards event are included in Fiscal Year 2017-18 adopted budget; however budget adjustments for Ryan White Part A grant are necessary to reflect the \$187,478 increase in appropriation and revenue. Funding for the CBO contracts above is provided under the Ryan White Part A and Part B grants and is included in the Fiscal Year 2017-18 adopted budget. There is no financial impact to net County cost as a result of approving the above recommendations.

Sincerely,



Rebecca Gebhart, Interim Director
Health Care Services Agency

FINANCIAL RECOMMENDATION		AGENDA DATE:		9/12/2017
Subject of Board Letter:		ACCEPT RYAN WHITE GRANT FROM U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, APPROVE STANDARD AGREEMENT AMENDMENT WITH CALIFORNIA DEPARTMENT OF PUBLIC HEALTH, APPROVE EXPENDITURES FOR THE ANNUALHIV/AIDS COMMUNITY SERVICES AWARDS CEREMONY AND APPROVE MASTER CONTRACT AMENDMENT WITH COMMUNITY-BASED ORGANIZATIONS FOR PUBLIC HEALTH DEPARTMENT, OFFICE OF AIDS ADMINISTRATION		
BY:	2018	FUND:	10000	
The use of Designations, as follows:				
NAME OF DESIGNATION		ORG	AMOUNT	
The increase (decrease) in anticipated revenue, as follows:				
<i>Informational</i>				
ORG	ACCT	PROG	PROJ/GR	AMOUNT
350905	456120	00000	PHG08HA60200	187,478
			ORG TOTAL	\$ 187,478
GRAND TOTAL ANTICIPATED REVENUE				\$ 187,478
The increase (decrease) in appropriations, as follows:				
<i>Informational</i>				
ORG	ACCT	PROG	PROJ/GR	AMOUNT
350905	610000	00000	PHG08HA60200	187,478
			ORG TOTAL	\$ 187,478
GRAND TOTAL APPROPRIATION				\$ 187,478

1. DATE ISSUED: 01/13/2017		2. PROGRAM CFDA: 93.914	
3. SUPERSEDES AWARD NOTICE dated: except that any additions or restrictions previously imposed remain in effect unless specifically rescinded.			
4a. AWARD NO.: 2 H89HA00018-26-00		4b. GRANT NO.: H89HA00018	5. FORMER GRANT NO.: BRH890018
6. PROJECT PERIOD: FROM: 04/04/1992 THROUGH: 02/28/2018			
7. BUDGET PERIOD: FROM: 03/01/2017 THROUGH: 02/28/2018			



NOTICE OF AWARD
AUTHORIZATION (Legislation/Regulation)
 Public Health Service Act, Title XXVI, Section 2603b
 Public Health Service Act Section 2603(b), 42 U.S.C 300ff-13(b)
 FY 2007 Title XXVI of the PHS Act, 42 U.S.C. section 300-ff-11 et
 seq (as amended), Part A
 Ryan White HIV/AIDS Treatment Extension Act of 2009 (Public Law
 111-87)
 Public Health Service Act, Sections 2601-2610
 Public Health Service Act, Sections 2601-2610 (42 USC 300ff-11 –
 300ff-20), as amended by the Ryan White HIV/AIDS Treatment
 Extension Act of 2009 (Public Law 111-87)
 Public Health Service Act, Sections 2601-2610, and 2693(b)(2)(A)
 (42 USC 300ff-11 – 300ff-20, and 300ff-121(b)(2)(A)), as amended
 by the Ryan White HIV/AIDS Treatment Extension Act of 2009
 (Public Law 111-87)

8. TITLE OF PROJECT (OR PROGRAM): HIV EMERGENCY RELIEF PROJECT GRANTS

9. GRANTEE NAME AND ADDRESS:
 ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
 Division Line: Office of AIDS Administration
 1000 Broadway
 Oakland, CA 94607-4099
DUNS NUMBER:
 101367600

10. DIRECTOR: (PROGRAM DIRECTOR/PRINCIPAL INVESTIGATOR)
 Nicholas Moss
 ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
 Division Line: Division of Communicable Disease Control &
 Prevention
 1000 Broadway
 Oakland, CA 94607-4099

11. APPROVED BUDGET:(Excludes Direct Assistance)
 Grant Funds Only
 Total project costs including grant funds and all other financial participation

a . Salaries and Wages :	\$0.00
b . Fringe Benefits :	\$0.00
c . Total Personnel Costs :	\$0.00
d . Consultant Costs :	\$0.00
e . Equipment :	\$0.00
f . Supplies :	\$0.00
g . Travel :	\$0.00
h . Construction/Alteration and Renovation :	\$0.00
i . Other :	\$0.00
j . Consortium/Contractual Costs :	\$0.00
k . Trainee Related Expenses :	\$0.00
l . Trainee Stipends :	\$0.00
m . Trainee Tuition and Fees :	\$0.00
n . Trainee Travel :	\$0.00
o . TOTAL DIRECT COSTS :	\$3,268,414.00
p . INDIRECT COSTS (Rate: % of S&W/TADC) :	\$0.00
q . TOTAL APPROVED BUDGET :	\$3,268,414.00
i. Less Non-Federal Share:	\$0.00
ii. Federal Share:	\$3,268,414.00

12. AWARD COMPUTATION FOR FINANCIAL ASSISTANCE:

a. Authorized Financial Assistance This Period	\$3,268,414.00
b. Less Unobligated Balance from Prior Budget Periods	
i. Additional Authority	\$0.00
ii. Offset	\$0.00
c. Unawarded Balance of Current Year's Funds	\$0.00
d. Less Cumulative Prior Awards(s) This Budget Period	\$0.00
e. AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION	\$3,268,414.00

13. RECOMMENDED FUTURE SUPPORT: (Subject to the availability of funds and satisfactory progress of project)

YEAR	TOTAL COSTS
Not applicable	

14. APPROVED DIRECT ASSISTANCE BUDGET:(In lieu of cash)

a. Amount of Direct Assistance	\$0.00
b. Less Unawarded Balance of Current Year's Funds	\$0.00
c. Less Cumulative Prior Awards(s) This Budget Period	\$0.00
d. AMOUNT OF DIRECT ASSISTANCE THIS ACTION	\$0.00

15. PROGRAM INCOME SUBJECT TO 45 CFR 75.307 SHALL BE USED IN ACCORD WITH ONE OF THE FOLLOWING ALTERNATIVES:
A=Addition B=Deduction C=Cost Sharing or Matching D=Other **[A]**
 Estimated Program Income: \$0.00

16. THIS AWARD IS BASED ON AN APPLICATION SUBMITTED TO, AND AS APPROVED BY HRSA, IS ON THE ABOVE TITLED PROJECT AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING:
 a. The grant program legislation cited above. b. The grant program regulation cited above. c. This award notice including terms and conditions, if any, noted below under REMARKS. d. 45 CFR Part 75 as applicable. In the event there are conflicting or otherwise inconsistent policies applicable to the grant, the above order of precedence shall prevail. Acceptance of the grant terms and conditions is acknowledged by the grantee when funds are drawn or otherwise obtained from the grant payment system.

REMARKS: (Other Terms and Conditions Attached Yes No)

Electronically signed by Brad Barney , Grants Management Officer on : 01/13/2017

17. OBJ. CLASS: 41.15		18. CRS-EIN: 1946000501A1		19. FUTURE RECOMMENDED FUNDING: \$0.00		
FY-CAN	CFDA	DOCUMENT NO.	AMT. FIN. ASST.	AMT. DIR. ASST.	SUB PROGRAM CODE	SUB ACCOUNT CODE
17 - 3778239	93.914	17H89HA00018	\$3,054,260.00	\$0.00	FRML	HIV1-17
17 - 3778238	93.914	17H89HA00018	\$214,154.00	\$0.00	MAI	HIV1-17

HRSA Electronic Handbooks (EHBs) Registration Requirements

The Project Director of the grant (listed on this NoA) and the Authorizing Official of the grantee organization are required to register (if not already registered) within HRSA's Electronic Handbooks (EHBs). Registration within HRSA EHBs is required only once for each user for each organization they represent. To complete the registration quickly and efficiently we recommend that you note the 10-digit grant number from box 4b of this NoA. After you have completed the initial registration steps (i.e., created an individual account and associated it with the correct grantee organization record), be sure to add this grant to your portfolio. This registration in HRSA EHBs is required for submission of noncompeting continuation applications. In addition, you can also use HRSA EHBs to perform other activities such as updating addresses, updating email addresses and submitting certain deliverables electronically. Visit <https://grants3.hrsa.gov/2010/WebEPSExternal/Interface/common/accesscontrol/login.aspx> to use the system. Additional help is available online and/or from the HRSA Call Center at 877-Go4-HRSA/877-464-4772.

Terms and Conditions

Failure to comply with the remarks, terms, conditions, or reporting requirements may result in a draw down restriction being placed on your Payment Management System account or denial of future funding.

Grant Specific Term(s)

1. This action reflects a new document number. Please refer to this number when contacting the Payment Management System or submitting drawdown requests. Reporting on the FFR (Federal Financial Report) SF 425-Federal Cash Transaction Report (FCTR) should reflect this number for all disbursements related to this project period.
2. The funds for this award are sub-accounted in the Payment Management System (PMS) and will be in a P type (sub accounted) account. This type of account allows recipients to specifically identify the individual grant for which they are drawing funds and will assist HRSA in monitoring the award. If your organization previously received a grant under this program, it was in a G type (cash pooled) account designated by a PMS Account Number ending in G or G1. Now that this grant is sub accounted the PMS Account Number will be changed to reflect either P or P1. For example, if the prior year grant was in payee account number 2AAG it will now be in 2AAP. Similarly, if the prior year grant was in payee account 2AAG1, the grant will be in payee account 2AAP1. The P sub account number and the sub account code (provided on page 1 of this Notice of Award) are both needed when requesting grant funds.

You may use your existing PMS username and password to check your organizations P account access. If you do not have access, complete a PMS Access Form (PMS/FFR Form) found at: http://www.dpm.psc.gov/grant_recipient/grantee_forms.aspx and send it to the fax number indicated on the bottom of the form. If you have any questions about accessing PMS, contact the PMS Liaison Accountant as identified at: <http://www.dpm.psc.gov/contacts/contacts.aspx>.

3. Effective December 26, 2014, all references to OMB Circulars for the administrative and audit requirements and the cost principles that govern Federal monies associated with this award are superseded by the Uniform Guidance 2 CFR 200 as codified by HHS at 45 CFR 75.
4. All post-award requests, such as significant budget revisions or a change in scope, must be submitted as a Prior Approval action via the Electronic Handbooks (EHBs) and approved by HRSA prior to implementation. Grantees under "Expanded Authority," as noted in the Remarks section of the Notice of Award, have different prior approval requirements. See "Prior-Approval Requirements" in the DHHS Grants Policy Statement: <http://www.hrsa.gov/grants/hhsgrantspolicy.pdf>
5. Notice: As a result of on-going performance/administrative concerns regarding the progress/conduct of this project, HRSA Grants Management Officer approval is required before Federal funds are drawn from the Payment Management System (PMS). Beginning immediately, by the 20th of each month or a minimum of 10 days before funds are needed, a signed SF-270 must be submitted and approved for anticipated expenditures, along with documentation to substantiate the request. This restriction is expected to be temporary, pending resolution of the above concerns by your organization. HRSA will determine when such resolution has occurred, and will notify the recipient in writing when the restriction has been lifted. Form SF-270 is available at http://www.whitehouse.gov/omb/grants/grants_forms.html.
In combination with the Drawdown Restriction, an Interim Progress Report is required. The Interim Progress Report (IRP) must contain an update on the corrective action plan including no less than:
 - Resolution of Recipient's RFP grievance process and current conflicts with timely disbursement of Ryan White funds
 - Documented effort of Planning Council and Sub-committee work plans that resolves current conflicts with legislation and guidance
 - Detail standard operating processes and work plan to resolve lack of adequate fiscal and program monitoring of sub-recipients
 - Timely submissions that meet reporting requirement deadlines
 - Quality assurance methods/process to improve accuracy of data and narrative in required reports

Program Specific Term(s)

1. RWHAP Part A recipients are required to use a minimum amount/percentage of this award to provide services to women, infants, children and youth (WICY) living with HIV/AIDS. The minimum set-aside amounts/percentages for each eligible metropolitan area/transitional grant area (EMA/TGA) must be determined separately for each priority population, and may not be less than the percentage of each population to the total number of persons estimated to be living with HIV/AIDS within the EMA/TGA.

Waiver: If the recipient can document that one or more WICY priority populations are receiving HIV-related services through the state Medicaid program under Title XIX of the Social Security Act, the Children's Health Program (CHIP) under Title XXI of the same Act, or other qualified federal or state programs in accordance with HRSA guidelines, then the recipient may request a waiver of the minimum WICY expenditure requirement from HRSA. Recipients requesting a waiver may utilize the WICY Expenditure Report to document that all priority populations are receiving HIV/AIDS health services through other funding sources.
2. The recipient is required to notify the Division of Grants Management Operations (DGMO) and the Project Officer, within 30 days, of any changes in Planning Council Composition that impact legislative compliance with "reflectiveness" or the mandated membership categories. A letter signed by the Planning Council Chair(s) must be submitted assuring that 33% of the Council members are non-conflicted persons living with HIV/AIDS (PLWH/A) and are receiving Part A funded HIV-related services. In addition, the 33% PLWH/A Council members and the Council as a whole must accurately reflect the demographics of the epidemic in the EMA/TGA. Reflectiveness must be based on the prevalence of HIV Disease (AIDS Prevalence plus HIV Prevalence, real or estimated) in the EMA/TGA as reported in the current fiscal year application. The notification and letter must be accompanied by revised tables or narrative describing compliance with Planning Council Composition and Reflectiveness. Please submit all documentation via the HRSA EHBs Prior Approval Portal as type "Other", subtype "Other".
3. These funds may not be used for the following: purchasing or construction of real property, international travel, payments for any item or service to the extent that payment has been made, or reasonably can be expected to be made, with respect to that item or service under any State compensation program, insurance policy, Federal or State health benefits program or by an entity that provides health services on a prepaid basis (except for a program administered by or providing the services of the Indian Health Services).
4. Consistent with Departmental guidance, HRSA recipients that purchase, are reimbursed or provide reimbursement to other entities for outpatient prescription drugs are expected to secure the best prices available for such products and to maximize results for the grantee organization and its patients. Eligible health care organizations/covered entities that enroll in the 340B Program must comply with all 340B Program requirements and will be subject to audit regarding 340B Program compliance. 340B Program requirements, including eligibility, can be found at www.hrsa.gov/opa/.
5. Submit, every two (2) years, to the lead State agency for the Ryan White HIV/AIDS Part B program, audits consistent with 45 CFR 75 Subpart F, regarding funds expended in accordance with this title and include necessary patient level data to complete unmet need calculations and the Statewide Coordinated Statements of Need process.
6. In accordance with the RWHAP client eligibility determination and recertification requirements (Policy 13-02), HRSA expects clients' eligibility be assessed during the initial eligibility determination, at least every six months, and at least once a year (whether defined as a 12-month period or calendar year) to ensure that the program only serves eligible clients, and that the RWHAP is the payer of last resort.
7. The recipient is required to establish and maintain a process for protecting client confidentiality throughout the project period. Client confidentiality requirements apply to all phases of the project.
8. HRSA is operating under a Continuing Resolution; therefore, this award provides partial funding based on the continuation of FY 2016 program requirements, funding levels, and specialized reporting requirements. Additions and revisions to these Terms and Conditions may be necessary once HRSA receives a final FY 2017 appropriations. A revised NoA will be issued to reflect any changes to funding amounts, Terms and Conditions, and/or reporting requirements.

9. All Ryan White HIV/AIDS Program Part A, B, C, and D recipients must adhere to the legislative requirement to establish a clinical quality management program. HRSA HIV/AIDS Bureau expectations for clinical quality management are outlined in Policy Clarification Notice 15-02 (<http://hab.hrsa.gov/manageyourgrant/clinicalqualitymanagementpcn.pdf>).
10. The Ryan White HIV/AIDS Program legislation specifies criteria for the expenditure of Part A funds as follows:
- The recipient may not use more than ten percent (10%) of total grant funds for direct and indirect costs associated with administering the award (including Planning Council or planning body expenses), and in accordance with the legislative definition of administrative activities and the allocation of funds to subrecipients, will not exceed an aggregate amount of 10 percent of such funds for administrative purposes. See Policy 15-01 for additional information on the 10% administrative cap.
- The recipient shall not exceed the lesser of 5 percent of the total grant funds or \$3 million for the required clinical quality management (CQM) program.
- The recipient must expend not less than 75% of total grant funds, exclusive of administration and CQM expenses, for core medical services, unless waived by the Secretary. [Also see PCN 16-02 Ryan White HIV/AIDS Program Services: Eligible Individuals & Allowable Uses of Funds.](#)
11. All Conditions, Program Terms, and Reporting Requirements must be electronically submitted through the HRSA Electronic Handbooks.
12. Funds awarded for pharmaceuticals must only be spent to assist clients who have been determined not eligible for other pharmaceutical programs, especially the AIDS Drug Assistance Program and/or for drugs that are not on the State ADAP or Medicaid formulary.
13. RWHAP funds may not be used to make cash payments to intended clients of core medical or support services. This prohibition includes cash incentives and cash intended as payment for RWHAP services. Where direct provision of the service is not possible or effective, store gift cards, vouchers, coupons, or tickets that can be exchanged for a specific service or commodity (e.g., food or transportation) must be used. Store gift cards that can be redeemed at one merchant or an affiliated group of merchants for specific goods or services that further the goals and objectives of the RWHAP are also allowable as incentives for eligible program participants. Recipients are advised to administer voucher and store gift card programs in a manner which assures that vouchers and gift cards cannot be exchanged for cash or used for anything other than allowable goods or services, and that systems are in place to account for disbursed vouchers and store gift cards. Note: General-use prepaid cards are considered "cash equivalent" and are therefore unallowable. Such cards generally bear the logo of a payment network, such as Visa, MasterCard, or American Express, and are accepted by any merchant that accepts those credit or debit cards as payment. Gift cards that are cobranded with the logo of a payment network and the logo of a merchant or affiliated group of merchants are general-use prepaid cards, not store gift cards, and therefore are also unallowable.
14. Recipients must follow the guidance in all applicable HIV/AIDS Bureau Policy Notices and Program Letters to ensure compliance with programmatic requirements. See <http://hab.hrsa.gov/program-grants-management/policy-notices-and-program-letters>.
15. In accordance with Program Policy No. 12-01, grant funds may not be used for: 1.) outreach programs which have HIV prevention education as their exclusive purpose, or 2.) broad-scope awareness activities about HIV services that target the general public. <http://hab.hrsa.gov/program-grants-management/policy-notices-and-program-letters>.
16. The recipient must maintain EMA/TGA political subdivision expenditures for HIV-related activities at a level which is not less than the level of expenditures for such activities during the one-year period preceding the fiscal year for which the applicant is applying to receive the grant (see Section 2605(a)(1)(B) of the PHS Act).
17. All providers of services available in the Medicaid State plan must have entered into a participation agreement under the State plan and be qualified to receive payments under such plan, or receive a waiver from this requirement.

18. The recipient is required to meet specific requirements regarding the monitoring of both their grant and their subrecipients /providers as detailed in the *National Monitoring Standards for Ryan White Recipients* (<http://hab.hrsa.gov/program-grants-management/ryan-white-hiv-aids-program-recipient-resources>).

19. Any post-award changes in Part A and/or Minority AIDS Initiative (MAI) grant allocations must be submitted to the Project Officer along with a letter from the Planning Council Chair(s). Prior approval for rebudgeting is required when cumulative transfers among direct cost budget categories (i.e., Personnel, Fringe, Travel, Equipment, Supplies, Contractual, etc.) for the current budget period exceed 25% of the total approved budget (which includes direct and indirect costs) for that budget period or \$250,000, whichever is less; or substantial changes are made to the approved work plan or project scope (e.g., changing the model of care, transferring substantive work from personnel to contractual); or the recipient wants to purchase a piece of equipment that exceeds \$5,000 and was not included in the approved project budget/application.

20. Ryan White HIV/AIDS Program (RWHAP) funds cannot pay for pre-exposure prophylaxis (PrEP) or non-occupational Post-Exposure Prophylaxis (nPEP) as the person using PrEP is not an individual living with HIV and the person using nPEP is not diagnosed with HIV prior to the exposure and therefore are not eligible for RWHAP funded medications or medical services. RWHAP Parts A and B recipients and subrecipients may provide some limited services under the EIS service category. (See the HIV/AIDS Bureau June 22, 2016 Program Letter available online at <http://hab.hrsa.gov/manageyourgrant/prepletter062216.pdf>.)

21. Recipients are required to track and report all sources of service reimbursement as program income on the annual Federal Financial Report and in annual data reports. All program income earned must be used to further the objectives of the RWHAP program. For additional information, see PCN #15-03 available online at http://hab.hrsa.gov/sites/default/files/hab/Global/pcn_15-03_program_income.pdf.

22. Per 45 CFR §75.351 - 353, recipients must monitor the activities of their subrecipients as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, Ryan White HIV/AIDS Program legislative requirements, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved. Recipients must ensure that subrecipients track, appropriately use, and report program income generated by the subaward. Recipients must also ensure that subrecipient expenditures adhere to legislative mandates regarding the distribution of funds.

23. Some aspects of Syringe Services Programs are allowable with HRSA's prior approval and in compliance with HHS and HRSA policy. See <https://www.aids.gov/federal-resources/policies/syringe-services-programs/>.

24. Funds may not be used by recipients or subrecipients for the purchase of vehicles without written prior approval from the Division of Grants Management Operations (DGMO).

25. If applicable, the recipient must submit the Tangible Personal Property Report (SF-428) and any related forms. The report must be submitted within 90 days after the budget period ends. Awardees are required to report all equipment with an acquisition cost of \$5,000 or more per unit acquired by the recipient with award funds. Tangible personal property reports must be submitted electronically through HRSA EHBs.

Standard Term(s)

1. Recipients must comply with all terms and conditions outlined in their grant award, including grant policy terms and conditions outlined in applicable Department of Health and Human Services (HHS) Grants Policy Statements, and requirements imposed by program statutes and regulations and HHS grant administration regulations, as applicable; as well as any requirements or limitations in any applicable appropriations acts.
2. All discretionary awards issued by HRSA on or after October 1, 2006, are subject to the HHS Grants Policy Statement (HHS GPS) unless otherwise noted in the Notice of Award (NoA). Parts I through III of the HHS GPS are currently available at <http://www.hrsa.gov/grants/hhsgrantspolicy.pdf>. Please note that the Terms and Conditions explicitly noted in the award and the HHS GPS are in effect.

3. HRSA requires grantees to use the following acknowledgement and disclaimer on all products produced by HRSA grant funds:
"This project is/was supported by the Health Resources and Services Administration (HRSA) of the U.S. Department of Health and Human Services (HHS) under grant number and title for grant amount (specify grant number, title, total award amount and percentage financed with nongovernmental sources). This information or content and conclusions are those of the author and should not be construed as the official position or policy of, nor should any endorsements be inferred by HRSA, HHS or the U.S. Government."
Grantees are required to use this language when issuing statements, press releases, requests for proposals, bid solicitations, and other HRSA supported publications and forums describing projects or programs funded in whole or in part with HRSA funding. Examples of HRSA-supported publications include, but are not limited to, manuals, toolkits, resource guides, case studies and issues briefs.
4. Recipients and sub-recipients of Federal funds are subject to the strictures of the Medicare and Medicaid anti-kickback statute (42 U.S.C. 1320a - 7b(b) and should be cognizant of the risk of criminal and administrative liability under this statute, specifically under 42 U.S.C. 1320 7b(b) Illegal remunerations which states, in part, that whoever knowingly and willfully: (A) Solicits or receives (or offers or pays) any remuneration (including kickback, bribe, or rebate) directly or indirectly, overtly or covertly, in cash or in kind, in return for referring (or to induce such person to refer) an individual to a person for the furnishing or arranging for the furnishing of any item or service, OR (B) In return for purchasing, leasing, ordering, or recommending purchasing, leasing, or ordering, or to purchase, lease, or order, any goods, facility, services, or itemFor which payment may be made in whole or in part under subchapter XIII of this chapter or a State health care program, shall be guilty of a felony and upon conviction thereof, shall be fined not more than \$25,000 or imprisoned for not more than five years, or both.
5. Items that require prior approval from the awarding office as indicated in 45 CFR Part 75 [Note: 75 (d) HRSA has not waived cost-related or administrative prior approvals for recipients unless specifically stated on this Notice of Award] or 45 CFR Part 75 must be submitted in writing to the Grants Management Officer (GMO). Only responses to prior approval requests signed by the GMO are considered valid. Grantees who take action on the basis of responses from other officials do so at their own risk. Such responses will not be considered binding by or upon the HRSA.
In addition to the prior approval requirements identified in Part 75, HRSA requires grantees to seek prior approval for significant rebudgeting of project costs. Significant rebudgeting occurs when, under a grant where the Federal share exceeds \$100,000, cumulative transfers among direct cost budget categories for the current budget period exceed 25 percent of the total approved budget (inclusive of direct and indirect costs and Federal funds and required matching or cost sharing) for that budget period or \$250,000, whichever is less. For example, under a grant in which the Federal share for a budget period is \$200,000, if the total approved budget is \$300,000, cumulative changes within that budget period exceeding \$75,000 would require prior approval). For recipients subject to 45 CFR Part 75, this requirement is in lieu of that in 45 CFR 75 which permits an agency to require prior approval for specified cumulative transfers within a grantee's approved budget. [Note, even if a grantee's proposed rebudgeting of costs falls below the significant rebudgeting threshold identified above, grantees are still required to request prior approval, if some or all of the rebudgeting reflects either a change in scope, a proposed purchase of a unit of equipment exceeding \$25,000 (if not included in the approved application) or other prior approval action identified in Part 75 unless HRSA has specifically exempted the grantee from the requirement(s).]
6. Payments under this award will be made available through the DHHS Payment Management System (PMS). PMS is administered by the Division of Payment Management, Financial Management Services, Program Support Center, which will forward instructions for obtaining payments. Inquiries regarding payments should be directed to: ONE-DHHS Help Desk for PMS Support at 1-877-614-5533 or PMSSupport@psc.hhs.gov. For additional information please visit the Division of Payment Management Website at www.DPM.PSC.GOV.
7. The DHHS Inspector General maintains a toll-free hotline for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. Such reports are kept confidential and callers may decline to give their names if they choose to remain anonymous. Contact: Office of Inspector General, Department of Health and Human Services, Attention: HOTLINE, 330 Independence Avenue Southwest, Cohen Building, Room 5140, Washington, D. C. 20201, Email: Htips@os.dhhs.gov or Telephone: 1-800-447-8477 (1-800-HHS-TIPS).
8. Submit audits, if required, in accordance with 45 CFR Part 75, to: Federal Audit Clearinghouse Bureau of the Census 1201 East 10th Street Jefferson, IN 47132 PHONE: (310) 457-1551, (800) 253-0696 toll free <https://harvester.census.gov/facweb/default.aspx/>.
9. EO 13166, August 11, 2000, requires recipients receiving Federal financial assistance to take steps to ensure that people with limited English proficiency can meaningfully access health and social services. A program of language assistance should provide for effective communication between the service provider and the person with limited English proficiency to facilitate participation in, and meaningful access to, services. The obligations of recipients are explained on the OCR website at <http://www.hhs.gov/ocr/lep/revisedlep.html>.
10. This award is subject to the requirements of Section 106 (g) of the Trafficking Victims Protection Act of 2000, as amended (22 U.S.C. 7104). For the full text of the award term, go to <http://www.hrsa.gov/grants/trafficking.htm>. If you are unable to access this link, please contact the Grants Management Specialist identified in this Notice of Award to obtain a copy of the Term.
11. The Consolidated Appropriations Act, 2016, Division H, § 202, (P.L. 114-113) enacted December 18, 2015, limits the salary amount that may be awarded and charged to HRSA

grants and cooperative agreements to the Federal Executive Pay Scale Level II rate set at \$187,000, effective January, 2017. This amount reflects an individual's base salary exclusive of fringe benefits. An individual's institutional base salary is the annual compensation that the recipient organization pays an individual and excludes any income an individual may be permitted to earn outside the applicant organization duties. HRSA funds may not be used to pay a salary in excess of this rate. This salary limitation also applies to sub-recipients under a HRSA grant or cooperative agreement. The salary limitation does not apply to payments made to consultants under this award although, as with all costs, those payments must meet the test of reasonableness and be consistent with recipient's institutional policy. None of the awarded funds may be used to pay an individual's salary at a rate in excess of the salary limitation. Note: an individual's base salary, per se, is NOT constrained by the legislative provision for a limitation of salary. The rate limitation simply limits the amount that may be awarded and charged to HRSA grants and cooperative agreements.

12. To serve persons most in need and to comply with Federal law, services must be widely accessible. Services must not discriminate on the basis of age, disability, sex, race, color, national origin or religion. The HHS Office for Civil Rights provides guidance to grant and cooperative agreement recipients on complying with civil rights laws that prohibit discrimination on these bases. Please see <http://www.hhs.gov/civil-rights/for-individuals/index.html>. HHS also provides specific guidance for recipients on meeting their legal obligation under Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin in programs and activities that receive Federal financial assistance (P. L. 88-352, as amended and 45 CFR Part 75). In some instances a recipient's failure to provide language assistance services may have the effect of discriminating against persons on the basis of their national origin. Please see <http://www.hhs.gov/civil-rights/for-individuals/special-topics/limited-english-proficiency/index.html> to learn more about the Title VI requirement for grant and cooperative agreement recipients to take reasonable steps to provide meaningful access to their programs and activities by persons with limited English proficiency.
13. Important Notice: The Central Contractor registry (CCR) has been replaced. The General Services Administration has moved the CCR to the System for Award Management (SAM) on July 30, 2012. To learn more about SAM please visit <https://www.sam.gov>.

It is incumbent that you, as the recipient, maintain the accuracy/currency of your information in the SAM at all times during which your entity has an active award or an application or plan under consideration by HRSA, unless your entity is exempt from this requirement under 2 CFR 25.110. Additionally, this term requires your entity to review and update the information at least annually after the initial registration, and more frequently if required by changes in your information. This requirement flows down to subrecipients. Note: SAM information must be updated at least every 12 months to remain active (for both grantees and sub-recipients). Grants.gov will reject submissions from applicants with expired registrations. It is advisable that you do not wait until the last minute to register in SAM or update your information. According to the SAM Quick Guide for Grantees (https://www.sam.gov/sam/transcript/SAM_Quick_Guide_Grants_Registrations-v1.6.pdf), an entity's registration will become active after 3-5 days. Therefore, check for active registration well before the application deadline.

14. In any grant-related activity in which family, marital, or household considerations are, by statute or regulation, relevant for purposes of determining beneficiary eligibility or participation, grantees must treat same-sex spouses, marriages, and households on the same terms as opposite-sex spouses, marriages, and households, respectively. By "same-sex spouses," HHS means individuals of the same sex who have entered into marriages that are valid in the jurisdiction where performed, including any of the 50 states, the District of Columbia, or a U.S. territory or in a foreign country, regardless of whether or not the couple resides in a jurisdiction that recognizes same-sex marriage. By "same-sex marriages," HHS means marriages between two individuals validly entered into in the jurisdiction where performed, including any of the 50 states, the District of Columbia, or a U.S. territory or in a foreign country, regardless of whether or not the couple resides in a jurisdiction that recognizes same-sex marriage. By "marriage," HHS does not mean registered domestic partnerships, civil unions or similar formal relationships recognized under the law of the jurisdiction of celebration as something other than a marriage. This term applies to all grant programs except block grants governed by 45 CFR part 96 or 45 CFR Part 98, or grant awards made under titles IV-A, XIX, and XXI of the Social Security Act; and grant programs with approved deviations.

15. **§75.113 Mandatory disclosures.**
- Consistent with 45 CFR 75.113, applicants and non-federal entities must disclose, in a timely manner, in writing to the HHS awarding agency, with a copy to the HHS Office of Inspector General (OIG), all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Sub recipients must disclose, in a timely manner, in writing to the prime recipient (pass through entity) and the HHS OIG, all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Disclosures must be sent in writing to the awarding agency and to the HHS OIG at the following address:

Department of Health and Human Services
Health Resources and Services Administration
Office of Federal Assistance Management
Division of Grants Management Operations
5600 Fishers Lane, Mailstop 10SWH-03
Rockville, MD 20879

AND

U.S. Department of Health and Human Services
Office of Inspector General
Attn: Mandatory Grant Disclosures, Intake Coordinator
330 Independence Avenue, SW, Cohen Building
Room 5527
Washington, DC 20201
Fax: (202)205-0604 (Include: "mandatory Grant Disclosures" in subject line) or Email: MandatoryGranteeDisclosures@oig.hhs.gov

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371. Remedies for noncompliance, including suspension or debarment (See 2 CFR parts 180 & 376 and 31 U.S.C. 3321). The recipient must include this mandatory disclosure requirement in all sub-awards and contracts under this award.

Non-Federal entities that have received a Federal award including the term and condition outlined in Appendix XII are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in §75.371, including suspension or debarment. (See also 2 CFR parts 180 and 376, and 31 U.S.C. 3321).

Recipient integrity and performance matters. If the total Federal share of the Federal award is more than \$500,000 over the period of performance, [Appendix XII to CFR Part 200](#) is applicable to this award.

Reporting Requirement(s)

1. Due Date: Within 90 Days of Budget End Date

The Ryan White HIV/AIDS Program Expenditure Report is due 90 days after the budget period end date.

2. Due Date: 03/26/2018

Submit the Ryan White Services Report (RSR) which consists of recipient, service provider, and patient level reports for the calendar year via the EHBs by 6:00 PM ET on the last Monday in March. See <http://hab.hrsa.gov/manageyourgrant/reportingrequirements.html> for additional information.

3. Due Date: 12/31/2017

The Recipient must submit an estimate of their FY 2017 Unobligated Balances (UOB) and an estimated carryover request consistent with reporting guidelines and instructions provided via the HRSA's EHBs by December 31, 2017.

4. Due Date: Within 150 Days of Budget End Date

The recipient must submit an annual Federal Financial Report (FFR). The report should reflect cumulative reporting within the project period and must be submitted using the Electronic Handbooks (EHBs). In compliance with 45 CFR §75.381, the FFR will be due 150 days after the budget period end date.

Failure to comply with these reporting requirements will result in deferral or additional restrictions of future funding decisions.

Contacts

NoA Email Address(es):

Name	Role	Email
Nicholas Moss	Authorizing Official	nicholas.moss@acgov.org
Nicholas Moss	Program Director	nicholas.moss@acgov.org
Arlyn A Ramos	Employee	arlyn.ramos@acgov.org
Phoenix Smith	Business Official	jennifer.smith@acgov.org

Note: NoA emailed to these address(es)

Program Contact:

For assistance on programmatic issues, please contact Lenwood Green at:

MailStop Code: 7A 55
DMHAP HAB
5600 Fishers Ln
RM 7A-55
Rockville, MD, 20857-0000
Email: lgreen@hrsa.gov
Phone: (301) 443-5431

Division of Grants Management Operations:

For assistance on grant administration issues, please contact India Smith at:
5600 Fisher Lane
Rockville, MD, 20857-
Email: lsmith@hrsa.gov
Phone: (301) 443-2096



CLERK, BOARD OF SUPERVISORS

DATE: 9/19/17

TO: Mano Sambile, Public Health Dept.

QIC: 21921 OR ADDRESS: _____

BOARD OF SUPERVISORS AGENDA DATE: 09/12/17

ENCLOSED ARE CONTRACTS REQUIRING SIGNATURE, SUBMITTED FOR APPROVAL BY THE BOARD OF SUPERVISORS ON THE ABOVE AGENDA DATE.



WE RETAINED THE ORIGINAL CONTRACT FOR THE BOARD'S OFFICIAL RECORD AND FORWARDED ONE COPY TO THE AUDITOR-CONTROLLER. ALL REMAINING COPIES ARE RETURNED TO THE INITIATING AGENCY/DEPARTMENT FOR DISTRIBUTION.



WE RETAINED THE ORIGINAL CONTRACT AND ARE RETURNING ALL REMAINING COPIES THE INITIATING AGENCY/DEPARTMENT FOR DISTRIBUTION.



WE ARE RETURNING ALL ORIGINAL CONTRACTS REQUIRING EXECUTION TO YOU. WHEN THE CONTRACTS ARE SIGNED – **PLEASE RETURN THIS FORM AND THE ORIGINALLY SIGNED DOCUMENTS TO: CLERK OF THE BOARD, 1221 OAK STREET, SUITE 536, OAKLAND, CA 94612.** WHEN THE SIGNED ORIGINAL(S) ARE RETURNED, THE CLERK'S OFFICE WILL RETAIN ONE FOR OUR RECORDS, FORWARD ONE TO THE AUDITOR-CONTROLLER, ANY REMAINING COPIES ARE RETURNED TO THE INITIATING AGENCY/DEPARTMENT FOR DISTRIBUTION.

CC: _____

CONTRACT NO(S): C-2017-85 ITEM: 23

FILE: F30016

PREPARED BY: Tamika Davis

PHONE\EXTENSION: X26350

QIC: 20101

STANDARD AGREEMENT AMENDMENT

STD 213A (Rev 6/03)

A/C 9/12/17
F30016 #23

Check here if additional pages are added: 1 Page(s)

Agreement Number 14-10736	Amendment Number A01
Registration Number:	

- This Agreement is entered into between the State Agency and Contractor named below:

State Agency's Name California Department of Public Health	Also known as CDPH or the State
Contractor's Name County of Alameda	(Also referred to as Contractor)
- The term of this **January 2, 2015** through **December 31, 2017**
Agreement is:
- The maximum amount of this **\$ 240,000**
 Agreement after this amendment is: **Two hundred forty thousand dollars**
- The parties mutually agree to this amendment as follows. All actions noted below are by this reference made a part of the Agreement and incorporated herein:

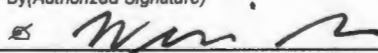
Purpose of amendment:

- This amendment changes only the name of the subcontractor "Corizon Health" to "California Forensic Medical Group" because the organization known as "Corizon Health" is now doing business as "California Forensic Medical Group".
- Certain changes made in this amendment are shown as: Text additions are displayed in **bold and underline**. Text deletions are displayed as strike through text (i.e., ~~Strike~~).

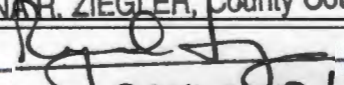
C-2017-85

All other terms and conditions shall remain the same.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CONTRACTOR	CALIFORNIA Department of General Services Use Only
Contractor's Name (If other than an individual, state whether a corporation, partnership, etc.) County of Alameda	
By(Authorized Signature) 	Date Signed (Do not type) 9/12/17
Printed Name and Title of Person Signing Wilma Chan, President, Board of Supervisors	
Address 1000 Broadway, Suite 310 Alameda, CA 94607	
STATE OF CALIFORNIA	
Agency Name California Department of Public Health	
By (Authorized Signature) 	Date Signed (Do not type)
Printed Name and Title of Person Signing Yolanda Murillo, Chief, Contracts Management Unit	
Address 1616 Capitol Avenue, Suite 74.317, MS 1802, P.O. Box 997377, Sacramento, CA 95899-7377	

Exempt per:OA Budget Act 2016

Approved as to Form
DONNA R. ZIEGLER, County Counsel
 By: 
 Print Name: **RAYMOND LEUNG**

- III. Exhibit A – Scope of Work, is hereby amended to read as follows:
- IV. All references to Exhibit A – Scope of Work, in the exhibit incorporated into this agreement shall hereinafter be deemed to read Exhibit A, A01 – Scope of Work.

1. Service Overview

The Contractor agrees to increase the number of Human Immunodeficiency Virus (HIV) screening tests in correctional facilities within the County of Alameda Local Health Jurisdiction (LHJ). In collaboration with ~~Corizon Health~~ **California Forensic Medical Group**, the County of Alameda will provide quality inmate/patient care, particularly among African American and Latino men and women, Men Who Have Sex with Men (MSMs) and Injection Drug Users (IDUs). They will also insure that persons newly identified as HIV positive receive their test results, are linked to HIV medical care, treatment, Partner Services, and HIV Prevention Services.

In order to reach service and performance goals for this Expanded Testing Program, the Contractor will collaborate with ~~Corizon Health~~ **California Forensic Medical Group**, a Prison Health Management Corporation, to assist with insuring quality inmate/patient care to underserved targeted populations within the County of Alameda LHJ.

- V. Exhibit B, Attachment III, Budget Detail is hereby replaced in its entirety with Exhibit B, Attachment III, A01, Budget Detail.


Exhibit B - Attachment III
Budget Detail
 January 1, 2017 - December 31, 2017

A. PERSONNEL	Position Title	Annual Salary	Total FTE %	Annual Cost
	Project Director	\$83,345	8.333%	\$6,945
			Total Personnel	\$6,945
B. FRINGE BENEFITS (48.1% of Personnel)			Total Fringe	\$3,341
			Total Personnel & Fringe Benefits	\$10,286
C. OTHER COSTS				
	Corizon Health <u>California Forensic Medical Group</u> (Santa Rita Jail & Glenn E. Dryer Correctional Facility)			\$68,685
			Total Other Costs	\$68,685
D. INDIRECT COSTS			Total Indirect Costs	\$1,029
	(10% of Total Personnel and Fringe Benefits)			
			Total Budget	\$80,000

Pursuant to Public Contract Code section 2010, a person that submits a bid or proposal to, or otherwise proposes to enter into or renew a contract with, a state agency with respect to any contract in the amount of \$100,000 or above shall certify, under penalty perjury, at the time the bid or proposal is submitted or the contract is renewed, all of the following:

1. **CALIFORNIA CIVIL RIGHTS LAWS:** For contracts executed or renewed after January 1, 2017, the contractor certifies compliance with the Unruh Civil Rights Act (Section 51 of the Civil Code) and the Fair Employment and Housing Act (Section 12960 of the Government Code); and
2. **EMPLOYER DISCRIMINATORY POLICIES:** For contracts executed or renewed after January 1, 2017, if a Contractor has an internal policy against a sovereign nation or peoples recognized by the United States government, the Contractor certifies that such policies are not used in violation of the Unruh Civil Rights Act (Section 51 of the Civil Code) or the Fair Employment and Housing Act (Section 12960 of the Government Code).

CERTIFICATION

I, the official named below, certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.	<i>Federal ID Number</i>
<i>Proposer/Bidder Firm Name (Printed)</i> County of Alameda	94-6000501
<i>By (Authorized Signature)</i> 	
<i>Printed Name and Title of Person Signing</i> Wilma Chan, President, Board of Supervisors	
<i>Date Executed</i> 9/12/17	<i>Executed in the County and State of</i> Alameda/California

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. WZ
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

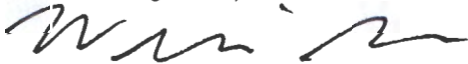
2. _____
Initials We are a scrutinized company as defined in Public Contract Code section 10476, but we have received written permission from the Department of General Services (DGS) to submit a bid or proposal pursuant to Public Contract Code section 10477(b) or submit a contract/purchase order. A copy 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) County of Alameda	Federal ID Number 94-6000501
By (Authorized Signature) 	
Printed Name and Title of Person Signing Wilma Chan, President, Board of Supervisors	
Date Executed 9/12/17	Executed in the County and State of Alameda/California

CCC 04/2017

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.

<i>Contractor/Bidder Firm Name (Printed)</i> County of Alameda		<i>Federal ID Number</i> 94-6000501
<i>By (Authorized Signature)</i> 		
<i>Printed Name and Title of Person Signing</i> Wilma Chan, President, Board of Supervisors		
<i>Date Executed</i> 9/12/17	<i>Executed in the County of</i> Alameda	

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.

ATTACHMENT A
HIV/AIDS SERVICES

Vendor	Contract No	PC Number	Contractor	FY 16-17 (3/1/17 - 6/30/17)	FY 17-18 (7/1/17 - 2/28/18)	AMENDMENT FY 17-18 (3/1/17 - 2/28/18)	Total (1 + 2 + 3)	Principal	Service Location	Program Service/Category Basis for Change in Contract Amount	Funding Source	Contract Period
32495	000077	14771	Alameda Health System (A.C. Med Ctr)	\$ 13,188	\$ 26,375	\$ 6,092	\$ 45,655	Delucchio Finley	San Leandro	HIV/AIDS Care and Treatment - Part A (FY 2017-2018)	Federal Part A	3/1/17 - 2/28/18
17900	900148	14774	Alameda Health Consortium	\$ 80,330	\$ 160,661	\$ 81,667	\$ 322,658	Ralph Silber	Oakland	HIV/AIDS Care and Treatment - Part A (FY 2017-2018)	Federal Part A	3/1/17 - 2/28/18
34548	901265	14778	Cardea Services	\$ 116,519	\$ 233,037	\$ 9,480	\$ 359,016	Patricia Blackbum	Oakland	HIV/AIDS Care and Treatment - Part A (FY 2017-2018)	Federal Part A	3/1/17 - 2/28/18
34548	901265	14779	Cardea Services	\$ 6,634	\$ 13,269	\$ (43)	\$ 19,860	Patricia Blackbum	Oakland	HIV/AIDS Care and Treatment - MAL (FY 2017-2018)	MAL	3/1/17 - 2/28/18
26439	900139	14780	Children's Hospital	\$ 48,073	\$ 96,146	\$ 36,881	\$ 180,100	Michael Anderson	Oakland	HIV/AIDS Care and Treatment - Part A (FY 2017-2018)	Federal Part A	3/1/17 - 2/28/18
26646	900232	14782	East Bay AIDS Center	\$ 110,373	\$ 220,746	\$ (91)	\$ 331,028	Chuck Prosper	Oakland	HIV/AIDS Care and Treatment - MAL (FY 2017-2018)	MAL	3/1/17 - 2/28/18
30258	900168	14783	East Bay Community Law Center	\$ 70,256	\$ 140,512	\$ 5,704	\$ 216,472	Cheryl Smith	Berkeley	HIV/AIDS Care and Treatment - Part A (FY 2017-2018)	Federal Part A	3/1/17 - 2/28/18
30756	900176	14786	Family Support Services of the Bay Area	\$ 13,521	\$ 27,042	\$ 1,098	\$ 41,661	Cheryl Smith	Oakland	HIV/AIDS Care and Treatment - Part A (FY 2017-2018)	Federal Part A	3/1/17 - 2/28/18
30144	900201	14790	Project Open Hand	\$ 57,355	\$ 114,712	\$ 6,112	\$ 178,180	Mark Ryle	Berkeley	HIV/AIDS Care and Treatment - Part A (FY 2017-2018)	Federal Part A	3/1/17 - 2/28/18
14653	900120	14793	Tn-City Health Center	\$ 127,164	\$ 254,327	\$ 12,043	\$ 383,534	Zettie D. Page	Fremont	HIV/AIDS Care and Treatment - Part A (FY 2017-2018)	Federal Part A	3/1/17 - 2/28/18
			Total	\$ 643,414	\$ 1,286,827	\$ 157,923	\$ 2,088,164					
			Total Original 3/1/17 - 2/28/18 Contracts		\$ 1,950,241							