



HEALTH SERVICES AGENCY
ADMINISTRATION

County of Santa Cruz

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HEALTH SERVICES AGENCY

P.O. BOX 962, 1080 EMELINE AVENUE
SANTA CRUZ, CA 95061
(831) 454-4066 FAX: (831) 454-4770

November 16, 2001

AGENDA: January 8, 2002

BOARD OF SUPERVISORS
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

RE: Adopt Resolution Authorizing State Standard Agreements

Dear Members of the Board:

Each year, the Health Services Agency (HSA) contracts with the State for a variety of health programs. HSA has approximately 40 agreements with the State, a few being County expenditure agreements, but the majority being revenue agreements. HSA includes these on-going agreements on the Continuing Agreements List that is approved by your Board during budget hearings. Agreements for any new programs are brought to your Board for specific approval before they are finalized.

Most State agreements are now following a new standard agreement format, which requires a resolution from the local governing body authorizing the execution of the agreement. This change is located in the Contractor Certification Clauses (CCC201 - copy attached) required by most agreements. HSA has already requested adoption of 4 resolutions authorizing signature on continuing state agreements this year. In order to improve the efficiency in processing on-going state agreements, and improve the cash flow associated with state revenue agreements, HSA recommends that your Board adopt the attached resolution authorizing the HSA Administrator, or their designee (the Director of Administration), to sign State standard agreements that have been included on the Continuing Agreements List approved by your Board during budget hearings each year. HSA would continue to bring any agreements for new programs to your Board for specific authorization.

It is, therefore, **RECOMMENDED** that your Board:

1. Adopt the attached resolution authorizing the Health Services Administrator, or their designee – the Health Services Agency Director of Administration, to sign on-going state standard agreements included on the 2001-02 Continuing Agreements List; and

2. Direct the Clerk of the Board to forward 36 certified copies of the resolution to the Health Services Agency for processing to the State.

Sincerely,



Rama Khalsa, Ph.D.
Health Services Administrator

RECOMMENDED:



Susan A. Mauriello
County Administrative Officer

Attachments: Resolution
State DGS CCC201

cc: County Administrative Office
Auditor-Controller
County Counsel
HSA Administration

**BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA**

RESOLUTION NO. _____

On the motion of Supervisor _____
duly seconded by Supervisor _____
the following resolution is adopted.

**RESOLUTION AUTHORIZING THE HEALTH SERVICES AGENCY TO SIGN STATE STANDARD
AGREEMENTS INCLUDED ON THE 2001-02 CONTINUING AGREEMENTS LIST**

WHEREAS, the County of Santa Cruz contracts with the State of California for various health programs; and

WHEREAS, the State of California requires local governing body approval to enter into contractual agreements; and

WHEREAS, the Board of Supervisors of Santa Cruz County approved continuing agreements during 2001-02 budget hearings, including those between the State of California and the County of Santa Cruz for health programs as outlined on Exhibit A; and

WHEREAS, the Board of Supervisors of Santa Cruz County desires to authorize the Health Services Agency to execute agreements between the State of California and the County of Santa Cruz as included on the 2001-02 Continuing Agreements List for purposes of fulfilling health program objectives.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the County of Santa Cruz Board of Supervisors, hereby authorizes the Health Services Administrator, or his or her designee - the Health Services Agency Director of Administration, to sign and execute standard agreements with the State of California listed on the attached Exhibit A which were included on the 2001-02 Continuing Agreements List approved by said Board during budget hearings for 2001-02.

PASSED AND ADOPTED, by the Board of Supervisors of the County of Santa Cruz, State of California, this 8th day of January, 2002, by the following vote:

AYES:	SUPERVISORS
NOES:	SUPERVISORS
ABSTAIN:	SUPERVISORS

Chair of the Board

ATTEST:

CLERK OF THE BOARD

APPROVED AS TO FORM:

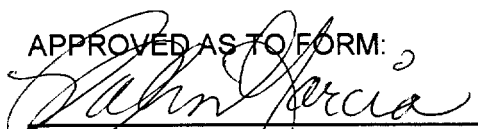

Assistant County Counsel

Exhibit A
2001-02 Continuing Agreements List
State Agreements

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INDEX CODE	EXP. SUBOBJ.	SECTION	CONTRACT NUMBER	CONTRACTOR	AMOUNT
360111	N/A	I	NIA	State DHS: TCM/Provder	NIA
360111	NIA	II	10336-01	State DHS: Medical Admin Act.	N/A
363210	3665	II	10603-01	State Dept. of Rehab	114,700
360120	626		R710	State DHS: LTCI Grant	50,000
360120	1095		Revenue	State DHS: 19316	7,100
360120	1095		R755	State DHS: Medical Outreach	0
362100	534		Revenue	State DHS: Medical Admin Act.	0
362100	574		Revenue	State DHS: Health Admin	27,087
362100	980		R473	Office of AIDS: Title II	5,884
362100	1006		R263	State DHS: MCH Grant	8,510
362100	2462		Revenue	State Aid: Realignment	3,332,698
362100	1095		R473-04	Office of AIDS: HOPWA	6,571
362200	1006		R263	State DHS: Grant	0
362200	699		R496	Adolescent Family Life Program/ASPPP	71,822
362200	534		Revenue	State DHS: Medical Admin Act.	133,500
362200	690		Revenue	State DHS: Tuberculosis	28,260
362200	1008		Revenue	State DHS: MCH/POE Grant	0
362200	0690		R723	State DHS: Chlamydia Prevention	8,881
362300	662		R397	Office of AIDS: Waiver Program	182,355
362300	658		R590	Office of AIDS: MA/ CMP pilot Care MOU	125,072
362300	667		R590-01	Office of AIDS: State EIP MOU (State Portion)	120,000
362300	996		R590-02	Office of AIDS: State EIP MOU (Federal Portion)	66,000
362300	534		Revenue	State DHS: MAA/Targeted Case Management (TCM)	100,000
362310	980		Revenue	Office of AIDS: Title III R. White Care Act	460,965
362501	690		R587	State DHS: Childhood Lead Poisoning Prev. Program	103,530
362700	1095		R473-01	Office of AIDS: HOPWA Consortium S rvs.	87,297
362700	980		R473-02	Office of AIDS: Title II Consortium S rvs.	118,085
362700	666		R590	Office of AIDS: MA/Educ & prevent MOU	445,873
362700	666		R590	Office of AIDS: MA/Drop-In Center MOU	175,909
362700	665		R590	Office of AIDS: MA/Street Outreach	112,000
362700	690		R590	Office of AIDS: MA/HIV Testing MOU	90,000
362700	534		Revenue	State DHS: Medical Admin Act.	100,000
362700	542		Revenue	State DHS: Family Planning Title XX	100,000
362700	664		Revenue	State Aid: AIDS Epidemiology	47,200
362700	894		Revenue	State Other: Calif Challenge Grant	15,085
362700	0664		R590	Office of AIDS: MGA	46,200
362750	1006		R263	State DHS: MCH Grant	199,262
362750	1008		Revenue	State DHS: MCH Perinatal Outreach (POE)	22,908
362750	699		TBD	State DHS: AFLP	282,569
362800	680		R250	State DHS: Dental Disease Prevention	51,050
362800	660		R479	State DHS: Tobacco Use Prevention	150,000
362800	873		TBD	State DHS: Office of Traffic Safety	0
362851	570		Revenue	CHDP State Funds	49,402
362851	572		Revenue	CHOP Medi-Cal Funds	294,626
362860	894		R637	State DHS: Small Public Water Systems	46.1 58
362860	872		R740	State DHS: Beach Posting	20,000

Exhibit A
2001-02 Continuing Agreements List
State Agreements

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INDEX CODE	EXP. SUBOBJ.	SECTION	CONTRACT NUMBER	CONTRACTOR	AMOUNT
362860	860		Revenue	State Coastal Conservancy	50,000
362860	1134		Revenue	State Water Res. Control Board	30,000
362950	666		R590	Office of AIDS: MA/Drop-In Center MOU	62,537
362960	684		R519	State DHS: IZ Assistance	216,938
363101	626		R374	State DHS: SB 900 Short/Doyle	3,821,748
363101	1698		R408	State DHS: McKinney Homeless (PATH)	17,192
363101	618		R680	State DHS: Managed Care	1,895,236
363101	620		Revenue	State DHS: CMHS-Fed Block Grant	257,291
364032	690		R574	State Aid: Partnership	132,185
364032	894		R574	State Aid: Cornp DC Implement	86,862
364032	1095		R574	Federal Aid: Miscellaneous (Fed Drug Ct)	150,000
364042	618		R574	State Aid: Short/Doyle (Perinatal)	278,466
364042	622		R574	State Aid: Short/Doyle Fed MCal	308,191
364042	690		R574	State Aid: Other Health (non perinatal)	700,567
364042	688		R574	Federal Aid: Drug Block Grant	1,651,377
365001	672		R672	State DHS: CHIP Hosp Services	436,736
365001	674		R672	State DHS: CHIP Other Services	74,592
365001	676		R672	State DHS: CHIP Phys Services	31,761
365001	679		R756	State DHS: EMSA	0
365001	668		R708	AIDS Drug Program	3,800
365001	534		Revenue	State DHS: Medical Admin Act.	110,681
365001	2462		Revenue	State Aid: Realignment	4,760,998

CCC201

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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>	<i>Federal ID Number</i>
<i>By (Authorized Signature)</i>	
<i>Printed Name and Title of Person Signing</i>	
<i>Date Executed</i>	<i>Executed in the County of</i>

CONTRACTOR CERTIFICATION CLAUSES

1. STATEMENT OF COMPLIANCE: Contractor has, unless exempted, complied with the nondiscrimination program requirements. (GC 12990 (a-f) and CCR, Title 2, Section 8103) (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.

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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: (1) the Contractor has made false certification, or violated the certification by failing to carry out the requirements as noted above. (GC 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. (PCC 10296) (Not applicable to public entities.)

4. **UNION ORGANIZING** Contractor hereby certifies that no request for reimbursement, or payment under this agreement, will seek reimbursement for costs incurred to assist, promote or deter union organizing.

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 (PCC 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 (PCC 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.

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If Contractor violates any provisions of above paragraphs, such action by Contractor shall render this Agreement void. (PCC 10420) 0 182

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. (PCC 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 government entity.