

**HEALTH COMMISSION**

CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION NO. 114 - 88

**A RESOLUTION ON CONTRACT POLICIES OF DPH**

WHEREAS, the Budget Committee of the Health Commission and the Department staff worked jointly in developing contract policies; and

WHEREAS, the formulation of the Department's contract policy on health services contracts and proprietary/professional services contracts affects the delivery of services by assuring quality of services, needs of diverse communities, equal opportunity in contracting, and fiscal accountability; and

WHEREAS, all contract policies are in compliance with the MBE/WBE/LBE Ordinance and Affirmative Action Policies of the Health Department;

THEREFORE BE IT RESOLVED that the following contract policies be adopted:

1. Contractual services shall be formally evaluated at least once each year. #6
2. Annual financial audits performed by an independent auditor shall be required for all contracts in excess of \$100,000. #7
3. Contracts may be terminated by either party with thirty days written notice. #8
4. Upon audit disallowance contractors are required to bring themselves into compliance and pay whatever disallowed sums are due the Department. #9
5. Negotiations may take place between the proposed contractor and the Department consistent with Department of Public Health Guidelines developed by the Office of Contract Management. Negotiations regarding the terms and conditions of the Contract Agreement shall take place through the Office of Contract Management. #10
6. Contractors shall be required to maintain the confidentiality of all client records. #11
7. Contractors may not enter into subcontracts nor transfer interest in their contract without the written approval of the Department of Public Health. #12
8. Complaints regarding a contractual service shall be referred to the Contract Administrator with a copy to the Office of Contract Management. #13
9. Contractors shall maintain the required insurance in full force for the term of the contract. Waiver of the insurance requirements may be granted in writing through the Office of Contract Management. #14
10. Sites for the provision of direct service contracts (health services) shall have the approval of the contract administrator, the appropriate advisory board and the Health Commission. #15
11. Any product developed under contractual agreement with the Department of Public Health shall become the property of the Department of Public Health. Any waiver to this requirement must be granted through the Office of Contract Management #16
12. All contractual services shall maintain the standards for such service as defined by the Department of Public Health. #17
13. Line item budget requests by contractors shall be approved by the Contract Administrator in accordance with Departmental Guidelines. #18

14. Standard boilerplate agreements approved as to form by the City Attorney shall be used for all health services and personal services contracts, except where prescribed form is required by State and/or Federal Regulations. Waiver of boilerplate requirements may be granted through the Office of Contract Management. #19
15. Contractor shall provide an annual inventory of all county owned equipment purchased with a minimum value of over \$200. The Contract Administrator shall forward a copy of said evaluation to the Office of Contract Management. #20
16. Contractors shall be required to submit a composite budget that states all anticipated revenue and expenditures for the program for which the contract has been executed. #21
17. Upon termination of contract services the Department shall inventory all county-owned equipment. The Department shall arrange for transfer of any county-owned equipment to possession of the Department. The Department shall arrange for storage and retention of applicable client records deemed necessary to protect the confidentiality of said records. The contractor shall submit all expenditure claims within 90 days of termination of said contract. #22
18. The Department of Public Health shall not contract with agencies or individuals who have any interest, including but not limited to, other projects or independent contracts, which would conflict in any manner or degree with the performance of the contractual services required. Nor shall the Department contract with any person who is an employee of the City and County of San Francisco. #23
19. All contractors are required to demonstrate their commitment to the Affirmative Action requirements of the Department of Public Health as they relate to the ethnicity and gender of both staff, clients, and board of directors of contractors. The Department requires that:

For Direct Service Contracts (health care services) that the:

- A. Board of Director's ethnicity and gender shall be representative of the target population served by the agency.
- B. Contractor's staff ethnicity and gender be representative of the client population being served by the agency.
- C. Or submit a plan, within a defined period of time, which demonstrates a commitment to Affirmative Action conforming to the Health Commission policy.

For Professional Services Contracts the:

- A. Staffs' ethnicity and gender shall be representative of the population characteristics of the SMSA\* in which the contractor is doing business.
- B. Board of Directors of ethnicity and gender shall be representative of the population characteristics of the SMSA\* in which the contractor is doing business.
- C. Or submit a plan, within a defined period of time, which demonstrates a commitment to Affirmative Action conforming to the Health Commission policy.

20. The Department shall act as a fiscal conduit for Federal and State demonstration projects as provided in Department Guidelines. #25

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\*SMSA Standard Metropolitan Statistical Area as determined by the 1980 Census of Population, General Population Characteristics

21. Contracts must be certified by the Controller before implementation. In emergency situations the Department shall follow the provisions for emergency services as outlined in the San Francisco Administrative Code, Section 6.30. #26
22. Direct service contracts (health care services) shall include provisions requiring contractors to comply with client grievance procedures. #27
23. Direct service contracts (health care services) shall include provisions requiring contractors to comply with the Department's Universal Bodily Substances Isolation Policies. #28

AND FURTHER BE IT RESOLVED that the contract policies appended to this resolution shall become the policies of the Department of Public Health.

I hereby certify that the foregoing resolution was adopted by the Health Commission at its meeting of April 19, 1988.



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Sandy Ouye Mori  
Secretary to the Health Commission