

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

446



**FROM:** Community Health Agency/Department of Public Health

**SUBMITTAL DATE:**  
July 5, 2011

**SUBJECT:** Ratify the Sixth Amendment to the Agreement between Desert AIDS Project and County of Riverside Community Health Agency, Department of Public Health for the provision of HIV Medical Support Services.

**RECOMMENDED MOTION:** That the Board of Supervisors:

- 1) Ratify the Sixth Amendment to the Agreement between Desert AIDS Project and County of Riverside Community Health Agency, Department of Public Health in the amount of \$180,000 for the period of July 1, 2011 to June 30, 2012 for medical support services; and
- 2) Authorize the Chairperson to sign four (4) originals of said Amendment on behalf of the County; and
- 3) Authorize the Purchasing Agent to approve the renewal amendment for Fiscal Year 2012-2013 in the amount not to exceed \$200,000.

**BACKGROUND:**

On Page 2

*Susan D. Harrington*

VJB/al

Susan Harrington, Director Dept. of Public Health

**FINANCIAL DATA**

Current F.Y. Total Cost:	\$ 180,000	In Current Year Budget:	YES
Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	NO
Annual Net County Cost:	\$ 0	For Fiscal Year:	11/12

**SOURCE OF FUNDS:** 100% funded by the State Office of AIDS.

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	

**C.E.O. RECOMMENDATION:**

APPROVE

*Debra Cournoyer*

Debra Cournoyer

**County Executive Office Signature**

- Consent
- Policy
- Consent
- Policy

Dept't Recomm.:  
Per Exec. Ofc.:

**Prev. Agn. Ref.:**  
Aug. 31, 2010, Item 3.23

**District:** All

**Agenda Number:**

3.20

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

FORM APPROVED COUNTY COUNSEL  
BY: NEAL R. KIPNIS DATE  
Departmental Concurrence  
Purchasing: Mark Seiler, Assistant Director

**SUBJECT:** Ratify the Sixth Amendment to the Agreement between Desert AIDS Project and County of Riverside Community Health Agency, Department of Public Health for the provision of HIV Medical Support Services.

**BACKGROUND:**

Desert AIDS Project (DAP) has provided vital HIV services in Riverside County since 1985 through ongoing contracts with the Department of Public Health. DAP has the organizational capacity, facilities, experience, and established credibility to provide essential medical support services to HIV positive individuals in Eastern Riverside County. Also, DAP is the only agency that has the capacity to optimize the provision of Medical Support Services in accordance with the contractual requirements of the State Office of AIDS.

Desert AIDS Project is currently serving 90% of the eligible affected population which establishes them as the paramount vendor for these services. In addition, many individuals in need of HIV medical support services are more willing to access them at DAP because it is well-know community-based, and has an established history of credibility.

Addressing the medical support service needs of persons living with HIV/AIDS is a crucial component of a comprehensive HIV care and prevention strategy. The goal being to minimize crisis situations, stabilize clients' mental health status, and maintain them in the care system. HIV clients remaining in the care system are more likely to have an increased quality and quantity of life, a reduction of risk behaviors, and a reduced risk of spreading HIV to others.

While these funds are awarded by the state, there are federal Ryan White fund subject to the restrictions of the CARE Act. The Ryan White Care Act states that "for profit business" can only be considered if there is no nonprofit willing or able to provide the required services (CARE Act Amendments of 1996 [Sec 2604(b)(2)(A): section 2631(a)(1)]. This requirement would disqualify all of the for profit businesses in the area, leaving the DAP as the only viable agency to provide these services.

The State Office of AIDS grant agreement with the Community Health Agency Department of Public Health ends on June 30, 2013. In this Sixth Amendment we are asking the Board of Supervisors to authorize the Purchasing Agent to renew the agreement with DAP for Fiscal Year 2012/2013. This will allow DAP to continue to provide the requirements of the State Office of AIDS grant; and avoid any mishaps if a different vendor is chosen.

**FINANCIAL DATA:** This amendment does not require any County funds.

Date: **June 30, 2011**

From: **Susan Harrington, Director of Public Health**

Department/Agency: **Department of Public Health/HIV/AIDS Program**

To: Board of Supervisors

Via: Purchasing Agent

Subject: **Sole Source Procurement**; Request that Desert AIDS Project provide HIV Medical Support Services for the Riverside County Department of Public Health HIV/AIDS Program.

The below information is provided in support of my Department request for approval of a sole source vendor. Outside of a duly declared emergency, the time to develop a statement of work or specifications is not in itself justification for sole source.

**Supply/Service being requested:** Authorization for Desert AIDS Project to provide HIV Medical Support Services for financially qualified people living with HIV Disease in Eastern Riverside County.

**Supplier being requested:** Desert AIDS Project

**Alternative suppliers that can or might be able to provide supply/service:** Desert AIDS Project is the only agency that has the capacity to offer the scope of services necessary to meet the contract requirements of the State Office of AIDS. Desert AIDS Project currently has over 2000 clients enrolled in services making it the largest provider of HIV services in Riverside County. Desert AIDS Project has been working with Riverside County's HIV/AIDS Program for twenty-three years. During that time, it has provided effective HIV Medical Case Management services that meet the specific goals and objectives of the State Office of AIDS. Desert AIDS Project also provides a range of client-centered services that result in a coordinated care plan which links clients to medical care, psychosocial, and other services in addition to Home and Community-Based Health Services. Desert AIDS Project has developed collaborative relationships with key stakeholders in the desert region of Riverside County and has extensive experience working with providers, community members and individuals living with HIV disease. Desert AIDS Project is highly regarded by the community as a leading resource in the fight against HIV disease.

Additionally, the Ryan White Care Act states that "for profit business" can only be considered if there is no nonprofit willing or able to provide the required services (CARE Act Amendments of 1996 [Sec 2604(b)(2)(A): section 2631(a)(1)]. This requirement would disqualify all of the for profit businesses in the area.

**Extent of market search conducted:** Since their founding in 1984, Desert AIDS Project has grown to become the primary provider of direct medical and support services to uninsured/underinsured HIV-affected men, women, and children throughout the desert region. Desert AIDS Project is the only agency that has the capacity to offer the scope of services necessary to meet the contract requirements of the State Office of AIDS. Desert AIDS Project is already serving a large percentage of the financially qualified infected population which establishes DAP as the paramount vendor for these services.

**Unique features of the supply/service being requested from this supplier, which no alternative supplier can provide:** Desert AIDS Project has provided HIV services for Riverside County's desert region since 1985. Desert AIDS Project has the organizational capacity, facilities and experience required to optimize the provision of Medical Support Services in accordance with the contractual requirements of the State Office of AIDS. In addition, many individuals in need of HIV Medical Support Services are more willing to access HIV medical support services at DAP because it is well-known, community-based, and has an established history of credibility. Desert AIDS Project is serving over 90% of the eligible affected population which establishes them as the paramount vendor for these services. This agreement provides stability to the continuum of care for people with HIV infection.

**Reasons why my department requires these unique features and what benefit will accrue to the county:** HIV Medical Support Services are essential components of a comprehensive HIV care and prevention strategy within Riverside County. Some HIV infected patients need more extensive care which will be furnished by Desert AIDS Project within the individuals home, based on a written plan of care established by the case management team that will include appropriate health care professionals. HIV clients remaining in the care system are more likely to have an increased quality and quantity of life, a reduction of risk behaviors, and a reduced risk of spreading HIV to others.

**Price Reasonableness:** The rate this vendor is charging is consistent with community standards for the same service in the eastern area of the County and does not exceed the amount of \$180,000 which will be reimbursed to Riverside County by the State Office of AIDS to pay for HIV Medical Case Management and Home and Community-Based Health Services. Based on this comparison, the cost for the services is deemed to be "fair and reasonable."

**Period of Performance:** From July 1, 2011-June 30, 2012

**Not to exceed \$180,000 for the performance period.**

**Does moving forward on this product or service further obligate the county to future similar contractual arrangements?** No, the county is not under any obligation for any future contractual arrangements with this purchase.

Susan D. Hampton 7/5/11  
Department Head Signature Date

Purchasing Department Comments:

Approve Approve with Condition/s Disapprove  
[Signature] 7-6-11  
Purchasing Agent Date

**SIXTH AMENDMENT TO THE AGREEMENT  
WITH  
DESERT AIDS PROJECT**

(Target Prevention Services)

That certain Agreement between the County of Riverside through its Community Health Agency HIV/AIDS Branch (COUNTY) and Desert AIDS Project (CONTRACTOR), approved on October 23, 2007, Item 3.7, amended for the first time on June 24, 2008, Item 3.21, amended for the second time on May 15, 2009, amended for the third time on September 30, 2009, amended for the fourth time on January 11, 2010, amended for the fifth time on August 31, 2010, Item 3.23, is hereby amended for the sixth time as follows, effective July 1, 2011:

- To amend all references to the period of performance from July 1, 2010 through June 30, 2011 to July 1, 2011 through June 30, 2012.
- To establish the amount of compensation for Fiscal Year 2011/2012 in the amount not to exceed one hundred eighty thousand dollars (\$180,000) including all expenses.
- All other terms and conditions of this Agreement are to remain unchanged.

**IN WITNESS WHEREOF**, the Parties hereto have caused their duly authorized representatives to execute this Amendment.

**CONTRACTOR**  
Desert AIDS Project

**COUNTY OF RIVERSIDE**

By 

By \_\_\_\_\_  
Chairman, Board of Supervisors

David Brinkman  
Type or Print Name

Date \_\_\_\_\_

Date 7.6.11

ATTEST: Kecia Harper-Ihem, Clerk

By \_\_\_\_\_

FORM APPROVED COUNTY COUNSEL

BY:   
NEAL R. KIPNIS DATE

7/17/11