

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 RESOLUTION NO. RES-08-0021

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH AUTHORIZING THE CITY
5 MANAGER TO EXECUTE A CONTRACT AND ANY
6 AMENDMENTS THERETO WITH SANOFI PASTEUR, INC.
7 WITHOUT ADVERTISING FOR BIDS TO PROVIDE
8 COMMUNICABLE DISEASE AND TRAVEL VACCINES
9 FOR PUBLIC HEALTH CLINIC ON THE SAME TERMS
10 AND CONDITIONS AFFORDED UNDER THE PUBLIC
11 HEALTH SERVICE (PHS) SECTION 340B DRUG PRICING
12 PROGRAM, IN AN AMOUNT NOT TO EXCEED \$115,000
13 FOR A ONE-YEAR PERIOD WITH THE OPTION OF
14 RENEWING FOR TWO ADDITIONAL ONE-YEAR
15 PERIODS
16

17 WHEREAS, the Department of Health and Human Services ("DHHS")
18 provides communicable disease and travel vaccines in its walk-in and travel clinics; and

19 WHEREAS, these vaccinations are essential to insuring the control of
20 communicable diseases in the community; and

21 WHEREAS, travel vaccinations are often required of international travelers
22 to protect them from acquiring diseases. These vaccines prevent the spread of diseases
23 from other countries within the community. As one of the largest travel clinics in southern
24 California, the DHHS receives numerous referrals from physicians throughout the region;
25 and

26 WHEREAS, the DHHS purchases vaccines for Yellow Fever, Meningitis,
27 Tetanus, Diphtheria, Japanese Encephalitis, Typhoid and Rabies; and

28 WHEREAS, Sanofi Pasteur, Inc. can furnish these vaccines according to

1 the Veterans Healthcare Act of 1992 (Public Health Service Section 340B). Section 340B
2 requires drug manufacturers to provide outpatient drugs at a reduced price which is
3 negotiated by the federal government for the benefit of state and local governments to
4 eligible health care centers, clinics and hospitals; and

5 WHEREAS, the 340B price is a "ceiling price" meaning it is the highest
6 price a public entity would have to pay for select outpatient and over-the-counter drugs,
7 resulting in savings to the City; and

8 WHEREAS, as a result, no useful purpose would be served by advertising
9 for bids and to do so would constitute an idle and useless act and an unnecessary
10 expenditure of public funds;

11 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
12 follows:

13 Section 1. The above recitals are true and correct and are incorporated
14 herein.

15 Section 2. The City Manager is hereby authorized to enter a contract and
16 any amendments thereto with Sanofi Pasteur, Inc. to provide communicable disease and
17 travel vaccines for public health clinic on the same terms and conditions afforded under
18 the Public Health Service (PHS) Section 340B Drug Pricing Program in an amount not to
19 exceed \$115,000 for a one-year period with the option of renewing for two additional one-
20 year periods.

21 Section 3. This resolution shall take effect immediately upon its adoption
22 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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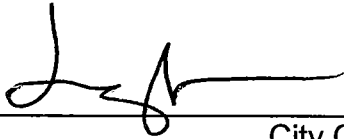
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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of February 19, 2008 by the following vote:

Ayes: Councilmembers: B. Lowenthal, S. Lowenthal, DeLong,
O'Donnell, Schipske, Andrews,
Gabelich, Lerch.

Noes: Councilmembers: None.

Absent: Councilmembers: Reyes Uranga.



City Clerk

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