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34207

March 29, 2018

Kelly Colopy, Director, Department of Health & Human Services
City of Long Beach
2525 Grand Avenue
Long Beach, California 90815

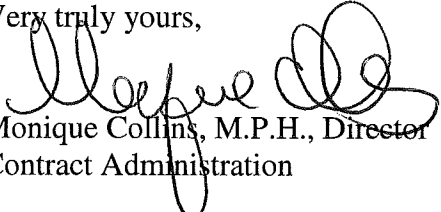
Dear Ms. Colopy:

**FULLY EXECUTED AMENDMENT: MASTER AGREEMENT NUMBER PH-003082-1,
BIOMEDICAL HIV PREVENTION SERVICES**

Enclosed is your agency's fully executed Amendment for Master Agreement No. PH-003082-1, which reflects revisions to Paragraph 8, Standard Terms and Conditions, to add Subparagraph 8.67, Compliance with County's Zero Tolerance Policy on Human Trafficking and Subparagraph 8.68, Data Encryption, effective date of execution. Please note all applicable performance requirements as stipulated in this document.

If you have any questions regarding your Master Agreement, please call Karla Gonzalez of my staff, at (213) 351-8078.

Very truly yours,


Monique Collins, M.P.H., Director
Contract Administration

MC:kg

P:\CAD\Contract Development and Processing\Development of Contracts\2018\BioMedical Master Agreement-Amendments\Fully Executed Letter\PH-003082-1 CLB MA Biomedical amendment FE letter kg.docx

Enclosures (2)

c: Anissa Davis (CLB)
Paulina Zamudio

Dave Young
Chron (CAD)

34207

Contract No. PH-003082

**MASTER AGREEMENT
BIOMEDICAL HIV PREVENTION SERVICES**

Amendment No. 1

THIS AMENDMENT is made and entered into this 28th day of

March, 2018,

by and between

COUNTY OF LOS ANGELES
(hereafter "County"),

and

CITY OF LONG BEACH,
DEPARTMENT OF HEALTH AND
HUMAN SERVICES
(hereafter "Contractor").

WHEREAS, reference is made to that certain document entitled "MASTER AGREEMENT FOR BIOMEDICAL HIV PREVENTION SERVICES", by and between County of Los Angeles, Department of Public Health and City of Long Beach, Department of Health and Human Services, dated March 1, 2016 and further identified as Master Agreement Number PH-003082, and any Amendments thereto (all hereafter "Master Agreement"); and

WHEREAS, it is the intent of the parties hereto to amend the Master Agreement to add certain terms and conditions and make other hereafter designated changes; and

WHEREAS, said Master Agreement provides that changes may be made in the form of a written amendment which is formally approved and executed by the parties; and

WHEREAS, the Amendment Format has been approved by County Counsel.

NOW, THEREFORE, the parties hereto agree as follows:

1. This Amendment shall be effective upon date of execution.

2. Paragraph 8, STANDARD TERMS AND CONDITIONS, Subparagraph 8.67, COMPLIANCE WITH COUNTY'S ZERO TOLERANCE POLICY ON HUMAN TRAFFICKING, shall be added to read as follows:

"8.67 COMPLIANCE WITH COUNTY'S ZERO TOLERANCE POLICY ON HUMAN TRAFFICKING:

A. Contractor acknowledges that the County has established a Zero Tolerance Human Trafficking Policy prohibiting contractors from engaging in human trafficking.

B. If a contractor or member of Contractor's staff is convicted of a human trafficking offense, the County shall require that the Contractor or member of Contractor's staff be removed immediately from performing services under the Contract. County will not be under any obligation to disclose confidential information regarding the offenses other than those required by law.

C. Disqualification of any member of Contractor's staff pursuant to this paragraph shall not relieve Contractor of its obligation to complete all work in accordance with the terms and conditions of this Contract."

3. Paragraph 8, STANDARD TERMS AND CONDITIONS, Subparagraph 8.68, DATA ENCRYPTION, shall be added to read as follows:

"8.68: DATA ENCRYPTION:

Contractor and Subcontractors that electronically transmit or store personal information (PI), protected health information (PHI) and/or

medical information (MI) shall comply with the encryption standards set forth below. PI is defined in California Civil Code Section 1798.29(g). PHI is defined in Health Insurance Portability Act of 1996 (HIPAA), and implementing regulations. MI is defined in California Civil Code Section 56.05(j).

- A. Stored Data: Contractors' and Subcontractors' workstations and portable devices (e.g., mobile, wearables, tablets, thumb drives, external hard drives) require encryption (i.e. software and/or hardware) in accordance with: (1) Federal Information Processing Standard Publication (FIPS) 140-2; (2) National Institute of Standards and Technology (NIST) Special Publication 800-57 Recommendation for Key Management- Part 1: General (Revision 3); (3) NIST Special Publication 800-57. Recommendation for Key Management – Part 2: Best Practices for Key Management Organization; and (4) NIST Special Publication 800-111 Guide to Storage Encryption Technologies for End User Devices. Advanced Encryption Standard (AES) with cipher strength of 256-bit is minimally required.
- B. Transmitted Data: All transmitted (e.g. network) County PI, PHI and/or MI require encryption in accordance with: (1) NIST Special Publication 800-52 Guidelines for the Selection and Use of Transport Layer Security Implementations; and (2) NIST Special Publication 800-57 Recommendation for Key Management – Part 3: Application- Specific Key Management Guidance.

Secure Sockets Layer (SSL) is minimally required with minimum cipher strength of 128-bit.

C. Certification: The County must receive within ten (10) business days of its request, a certification from Contractor (for itself and any Subcontractors) that certifies and validates compliance with the encryption standards set forth above. In addition, Contractor shall maintain a copy of any validation/attestation reports that its data encryption products(s) generate and such reports shall be subject to audit in accordance with the Contract. Failure on the part of the Contractor to comply with any of the provisions of this Paragraph 8.68 (Data Encryption) shall constitute a material breach of this Contract upon which the County may terminate or suspend this Contract.”

4. Effective on the date of this Amendment, Exhibit A, County’s Administration, shall be replaced with Exhibit A-Revised attached hereto, and incorporated herein by reference.

5. Except for the changes set forth herein above, Master Agreement shall not be changed in any respect by this Amendment.

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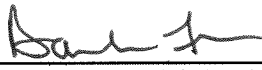
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IN WITNESS WHEREOF, the Board of Supervisors of the County of Los Angeles has caused this Amendment to be subscribed by its Director of Public Health or her designee, and Contractor has caused this Amendment to be subscribed in its behalf by its duly authorized officer, the day, month, and year first above written.

COUNTY OF LOS ANGELES

By 
Barbara Ferrer, Ph.D., M.P.H., M.Ed.
Director


CITY OF LONG BEACH, DEPARTMENT OF HEALTH AND HUMAN SERVICES

Contractor
By 
Signature
Patrick H Wiser
Printed Name
Title City Manager
(AFFIX CORPORATE SEAL)

APPROVED AS TO FORM
BY THE OFFICE OF THE COUNTY COUNSEL
MARY C. WICKHAM
County Counsel


APPROVED AS TO CONTRACT
ADMINISTRATION:

Department of Public Health

By 
Patricia Gibson, Chief
Contracts and Grants Division

#04215

APPROVED AS TO FORM

2/28, 2018
CHARLES PARKIN, City Attorney
By 
LINDA T. VU
DEPUTY CITY ATTORNEY

COUNTY'S ADMINISTRATION

MASTER AGREEMENT NO. PH-003082

COUNTY MASTER AGREEMENT PROJECT DIRECTOR (MAPD):

Name: KAREN BUEHLER
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COUNTY WORK ORDER DIRECTOR:

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COUNTY WORK ORDER PROJECT MANAGER:

Name: MONIQUE COLLINS
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