

RESOLUTION NO. 2023- 222

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AMENDMENT TWENTY-EIGHT TO CONTRACT NJ206 BETWEEN ST. JOHNS COUNTY AND FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES ADDING LANGUAGE REQUIRING THE COUNTY PROVIDE WRITTEN NOTICE PRIOR TO SUBCONTRACTING IN CERTAIN CIRCUMSTANCES; AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AMENDMENT ON BEHALF OF THE COUNTY.

RECITALS

WHEREAS, in 2014, St. Johns County (“County”) and Florida Department of Children and Families (“DCF”) entered into contract NJ206 which provides the terms and conditions and allocation of state funding for Community Based Care in the County (Resolution 2014-124); and

WHEREAS, DCF requested Amendment 28 to contract NJ206 to add language requiring the County to provide DCF written notice prior to entering into subcontracts in certain circumstances; and

WHEREAS, the County determines that entering into the amendment serves a public purpose and is in the interest of the County and the public.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of St. Johns County, Florida, as follows:

Section 1. The above Recitals are adopted as legislative findings of fact and incorporated herein.

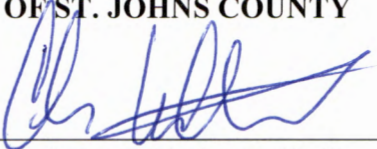
Section 2. The Board of County Commissioners hereby approves the terms, conditions and requirements of Amendment 28 to contract NJ206, in sustainably the same form as attached hereto, and authorizes the County Administrator, or designee, to execute the amendment on behalf of the County.

Section 3. To the extent there are typographical and/or administrative errors or omissions that do not change the tone, tenor, or context of this Resolution, then this Resolution may be revised without subsequent approval of the Board of County Commissioners.

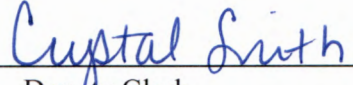
PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida this 20th day of June 2023.

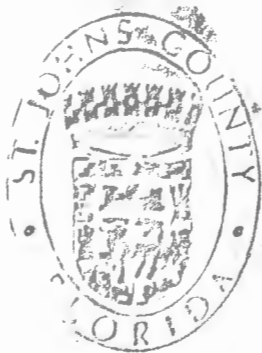
**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY**

Rendition Date JUN 20 2023

By: 
Christian Whitehurst, Chair

ATTEST: Brandon J. Patty,
Clerk of the Circuit Court and Comptroller

By: 
Deputy Clerk



**FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES
CONTRACT NO. NJ206
AMENDMENT NO. 28**

This Amendment shall be effective 05/18/2023 or the last party signature date, whichever is later. The above referenced Contract is hereby amended as follows:

1. Number 2 was last addressed in Amendment #14.
 2. Attachment I, 1.9.3.1 is amended to add:
 - f. The Lead Agency must provide written notice to the Department prior to entering into a subcontract when there is a potential of any of the following, when services or purchases utilizing the Department or Federal pass through funds, exceeds \$65,000.
 - i. Ownership interest (either directly or by Lead Agency board members or officers) in the subcontractor;
 - ii. Commonality of any board members or officers of Lead Agency with the subcontractor;
 - iii. Ownership interest by the subcontractor (either directly or by their board members or officers) in the Lead Agency;
 - iv. Ownership interests of a third entity (or its board or officers) in both the Lead Agency and the Subcontractor;
 - v. Any employment relationship between the subcontractor and Lead Agency board members or officers; or
 - vi. Commonality of board members or officers between a third entity and both the Lead Agency and the subcontractor.
 - g. Pursuant to the requirements of s. 409.987(7), F.S., Provider's board members and officers have an affirmative obligation to disclose a potential conflict of interest to the board. The board is then responsible for following the procedure outlined in s. 409.987(7), including a vote per s. 409.987(7)(c)2., F.S. to approve or disapprove of the activity for which a conflict may exist.
 - h. Determination of when services or purchases exceed \$65,000 cannot be avoided by subdivision. Expenditures with the same entity over any 36-month period shall be summed for the purposes of this determination.
 - i. By its representative's signature on this Contract Provider certifies it has disclosed in writing to the Department any actual or potential matters requiring written notice under f., or any actual or potential conflict of interest under h.(g.) above that exist at the time of entry into this contract. The Provider shall annually thereafter make this certification as to the prior year. Failure to truthfully and accurately make such certification is a material breach of this contract by Provider. In addition, damages for breach of any of the terms of 1.9.3.1. cannot be adequately calculated, therefore, in addition to any remedies for material breach, the Contract's administrative funds shall be reduced by the value of the undisclosed contract or contracts. The Department retains all remedies including termination.
 - 1.9.3.1.1. Provider will submit written notice to the Department prior to awarding Department funds through a non-competitive procurement if said purchase exceeds \$65,000, Further, Provider will submit written notice to the Department before entering into any agreement with a person or entity that is being contracted with as a single source purchase.
3. All provisions in the Contract and any attachments thereto in conflict with this Amendment are changed to conform with this Amendment. All provisions not in conflict with this Amendment are still in effect and are to be performed at the level specified in the Contract. This Amendment and all its attachments are made a part of the Contract.

IN WITNESS THEREOF, the parties hereto have caused this Amendment executed by their undersigned officials as duly authorized.

PROVIDER

DEPARTMENT

Signature: _____

Signature: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

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