



Contra
Costa
County

To: Board of Supervisors
From: Sharon Offord Hymes, Risk Manager
Date: March 1, 2016

Subject: Payments for Services Provided

RECOMMENDATION(S):

APPROVE AND AUTHORIZE the Auditor-Controller, or his representative, to pay the amount of \$18,726.50 to Yovino-Young, Inc., for services rendered to Risk Management, as recommended by the Risk Manager during the period January 30, 2015 to December 31, 2015.

FISCAL IMPACT:

100% Self-Insurance Internal Service Funds

BACKGROUND:

Yovino-Young, Inc. provided real estate appraisals and other expert services to legal counsel retained by Risk Management for the case

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **03/01/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: March 1, 2016

David Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Sharon Hymes-Offord
(925) 335-1442

By: Chris Heck, Deputy

BACKGROUND: (CONT'D)

Fratus v. Contra Costa County. Yovino-Young's expert opinion is required to defend the County in this action.

Yovino-Young is entitled to payment for the reasonable value of its services under the equitable relief theory of quantum meruit. That theory provides that where a person has been asked to provide services without a valid contract, and the provider does so to the benefit of the recipient, the provider is entitled to recover the reasonable value of those services. Therefore, Risk Management is legally obligated to reimburse Yovino-Young for the reasonable value of the services it provided.

Because Yovino-Young performed services at the request of Risk Management, and with the full expectation and understanding that it would receive payment for those services, Risk Management recommends that the Board authorize the Auditor-Controller to issue a payment in the amount of \$18,726.50.

CONSEQUENCE OF NEGATIVE ACTION:

The service provider will not be paid for services rendered to Risk Management.