



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: March 7, 2017

Subject: Payment and contract for services provided by Careerstaff Unlimited, Inc.

RECOMMENDATION(S):

1. Approve and authorize the Auditor-Controller, or his designee, to pay an amount not to exceed \$95,000 to CareerStaff Unlimited, Inc., for services rendered to the Contra Costa Regional Medical Center and health clinics through March 7, 2017, and
2. Approve and authorize the Health Services Director, or designee, to execute a contract with CareerStaff Unlimited, Inc., effective March 8, 2017 through April 30, 2017 with a payment limit not to exceed \$30,000.

These recommendations will ensure appropriate temporary staffing services at Contra Costa Regional Medical Center and health clinics while the County negotiates a new agreement with significantly reduced services effective either March 8, 2017 or May 1, 2017, respectively.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/07/2017** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, 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 7, 2017

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

By: June McHuen, Deputy

Contact: Anna Roth,
925-370-5101

cc: K Cyr, M Wilhelm

RECOMMENDATION(S): (CONT'D)

>

FISCAL IMPACT:

Upon approval of the recommendations above, payments of a maximum of \$125,000 will be covered by Hospital Enterprise Fund I. No rate increase will be included in either contract amendment.

BACKGROUND:

On December 8, 2015, the Board of Supervisors approved Contract #26-323-25 with CareerStaff Unlimited, Inc., for the provision of temporary help services, including physical and occupation therapy services at CCRMC, for the period from January 1, 2016 through December 31, 2016. At the time of negotiations, the payment limit was based on target levels of utilization. However, the utilization during the term of the agreement was higher than originally anticipated.

On November 14, 2016, the County notified Teamsters of the County's intent to amend this existing contract, to increase the payment limit due to additional services needed. Teamsters represents Occupational Therapist and Physical Therapist classifications in Contra Costa. On November 22, 2016, the union responded, requesting to meet and confer. After three (3) meet and confers with Teamsters (December 20, 2016, and February 13 and 16, 2017), an agreement has not been reached and the contract expired before the County was able to approve a contract amendment/extension to cover the additional services provided in good faith by the Contractor.

During this time, the County has been working towards filling vacant rehabilitation therapy positions. As of March 1, 2017, the County has hired or made job offers to fill the following: all seven Physical Therapist, four of the nine Occupational Therapist, two Speech Pathologist, and one of the two Therapy Aide vacant positions. The County will continue their efforts to fill all vacancies, but will have an ongoing need to maintain contracted services to prevent disruption of patient care services. Therefore, in addition to requesting a payment to the Contractor in an amount not to exceed \$95,000 for services provided from October 1, 2016 through March 7, 2017, the department is also requesting approval of a short-term contract through April 30, 2017. Approval of this contract will allow the County to continue to provide patient care services, while the County continues to meet and confer with the union, recruit permanent staff and pursue a new contract beginning May 1, 2017 with significantly reduced services.

The Contractor 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 contractor has been asked to provide services without a valid contract, and the contractor does so to the benefit of the County, the Contractor is entitled to recover the reasonable value of those services. CareerStaff Unlimited, Inc. provided services at the request of the County after the original contract payment limit had been reached. Therefore, if both recommendations are

not agreeable to the Board, the department is at minimum, requesting the amount due the Contractor be paid in an amount not to exceed \$95,000 for services rendered through March 7, 2017.

CONSEQUENCE OF NEGATIVE ACTION:

If a contract is not approved through April 30, 2017, the County will not be able to provide necessary services to patients at CCRMC. If a payment is not issued to the Contractor, the County cannot pay the Contractor for the services provided.