



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: January 9, 2018

Subject: Payment for Services Provided by Allergan USA, Inc.

RECOMMENDATION(S):

Approve and authorize the Auditor-Controller, or his designee, to pay an amount not to exceed \$4,449 to Allergan USA, Inc. for the purchase of tissue expanders, breast implants, and other devices and supplies used in plastic reconstructive surgery at Contra Costa Regional Medical Center (CCRMC) during the month of March 2017.

FISCAL IMPACT:

100% funded by Hospital Enterprise Fund I budget.

BACKGROUND:

Allergan USA, Inc. has been providing medical devices and supplies for over ten years. The Surgery Department at CCRMC used more supplies than it had anticipated. It is necessary to pay the outstanding amount which is over the purchase order limit.

Allergan USA, Inc. has continued to provide products even though it has not been possible to pay them. They are entitled to payment for the reasonable value of their products under the equitable relief theory of quantum meruit. This theory provides that where a person has been asked to provide goods without a valid contract and does so to the benefit of the

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **01/09/2018** ☒ 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: January 9, 2018

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

By: June McHuen, Deputy

Contact: Anna Roth,
925-370-5101

cc: Tasha Scott, Marcy Wilhelm, Margaret Harris

recipient, the provider is entitled to recover the reasonable value of those products.

CONSEQUENCE OF NEGATIVE ACTION:

If this board order is not approved, Allergan USA, Inc. will not be paid for products rendered in good faith to patients at CCRMC. Further, the contractor will not provide products in the future which would affect patient care.