



**Contra
Costa
County**

To: Board of Supervisors

From: Kathy Gallagher, Employment & Human Services Director

Date: October 8, 2019

Subject: Martinez Early Childhood Center Maintenance of Effort (MOE)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Auditor-Controller, or designee, on behalf of Employment and Human Services, to pay \$28,665 to Martinez Early Childhood Center for child care services from July 1, 2018 through June 30, 2019, as recommended by the Employment and Human Services Department Director.

FISCAL IMPACT:

The payment, not to exceed \$28,665, is for documented child care services delivered by Contractor between July 1, 2018 through June 30, 2019. Payment will be funded with 100% county funds.

BACKGROUND:

The Employment and Human Services Department (EHSD) has been collaborating with Martinez Early Childhood Center to provide child care services to infants, toddlers and preschoolers since 2007 as part of the maintenance of effort (MOE) outlined in Education Code 8279 and 8279.1. During Fiscal Year 2018-19, the Contractor continued to provide services without having a contract to authorize the services and in good faith the Department would renew FY18-19 contract accordingly. This oversight was recently

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **10/08/2019** ☒ 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: October 8, 2019

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

By: Laura Cassell, Deputy

Contact: Cassandra
Youngblood 608-4964

cc:

recognized by EHSD when Martinez Early Childhood Center submitted

BACKGROUND: (CONT'D)

an invoice for services completed for Fiscal Year 2018-19. The Contractor is entitled to payment for the reasonable value of their services under the equitable relief theory of quantum merit. This theory provides that where a person has been asked to provide services without a valid contract and does so to the benefit of the recipient, the provider is entitled to recover the reasonable value of those services. This Board Order seeks to rectify the oversight by providing payment for services rendered. Payment will be made upon receipt of documentation of days, hours and number of children cared for.

CONSEQUENCE OF NEGATIVE ACTION:

Contractor will not be paid for services rendered to the Employment and Human Services Department.