



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: May 11, 2021

Subject: Payment for Services Provided by Food Bank of Contra Costa and Solano

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay \$1,526 to Food Bank of Contra Costa and Solano, a non-profit corporation, for the coordination of food services for County residents diagnosed with HIV disease provided in good faith during the period February 1, 2021 through February 28, 2021.

FISCAL IMPACT:

This retroactive payment in the amount of \$1,526 is funded 100% by Ryan White HIV Treatment Extension Act revenues.

BACKGROUND:

The Public Health Department has been contracting with Food Bank of Contra Costa and Solano, since July 2006 to provide coordination of food services for County residents diagnosed with HIV disease.

In March 2020, County Administrator approved and Purchasing Services Manager executed Contract #22-939-35, (as amended by Amendment Agreement #22-939-36) with Food Bank of Contra Costa and Solano to provide coordination of food services for County residents

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **05/11/2021** ☒ 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: May 11, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Daniel Peddycord,
925-313-6712

diagnosed with HIV disease for the period from March 1, 2020 through February 28, 2021.

BACKGROUND: (CONT'D)

Due to a high volume of new referrals for the food and nutrition support during the COVID-19 pandemic, the contract did not have sufficient funds to pay for the additional services being provided. The Food Bank of Contra Costa and Solano continued to provide coordination of food services for County residents in good faith for the period February 1, 2021 through February 28, 2021, which exceeded the payment limit by \$1,526.

Therefore, the County has determined that the Food Bank of Contra Costa and Solano, is entitled to payment for the reasonable value of their 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.

CONSEQUENCE OF NEGATIVE ACTION:

If this request is not approved, the Food Bank of Contra Costa and Solano will not be paid for services provided to County clients outside of the contract payment limit and rendered in good faith.