



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: November 2, 2021

Subject: Payment for Services Provided by University of California, San Francisco (dba UCSF Medical Center)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Auditor-Controller, to pay \$44,193 to the University of California San Francisco, (dba UCSF Medical Center) for the provision of outside laboratory services provided to Contra Costa Regional Medical Center (CCRMC) for the period November 1, 2019 through June 30, 2021.

FISCAL IMPACT:

Approval of this Board Order will result in one-time expenditures of up to \$44,193 and will be funded 100% by Hospital Enterprise Fund I revenues.

BACKGROUND:

CCRMC has an obligation to provide certain specialized laboratory services, therefore, CCRMC contracts with outside laboratory testing services in order to provide testing services not available at CCRMC, to ensure patient care is provided as required. This contractor has been providing services to the County for several years, previously under a Memo of Understanding (MOU) and was required to convert to a County contract.

☒ APPROVE
 ☐ OTHER
☒ RECOMMENDATION OF CNTY ADMINISTRATOR
 ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/02/2021** ☒ 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

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: November 2, 2021

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

ABSENT: Federal D. Glover, District V
 Supervisor

By: Stacey M. Boyd, Deputy

Contact: Patrick Godley,
 925-957-5405

BACKGROUND: (CONT'D)

>County Counsel approved Contract #76-675, as to legal form, on March 6, 2020, in an amount not to exceed \$24,500 for the provision of outside laboratory testing services for the period November 1, 2019 through October 30, 2020. The contractor never returned the contract. The contractor was not paid for services provided for the contract period for a total of \$19,543.

Contract #76-675-1, was electronically sent to the contractor on August 16, 2020, in an amount not to exceed \$25,000 for the provision of outside laboratory testing services for the period November 1, 2020 through June 30, 2021. The contractor again, never returned the contract. The contractor was not paid for services provided for the contract period for a total of \$24,650.

Even though a fully executed contract was not realized during the time period of 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. The contractor has provided services at the request of the County. The Department cannot pay the contractor for services rendered without a contract in place. As such, the Department recommends that the Board authorize the Auditor-Controller to issue a one-time payment not to exceed \$44,193.

To prevent the recurrence of this moving forward, the Department has fully executed Contract #76-675-2 with the University of California San Francisco (dba UCSF Medical Center), a government agency, in an amount not to exceed \$25,000 for the period July 1, 2021 - June 30, 2022. Due to the mutual indemnification terms of the contract, the Board authorized this agreement on July 27, 2021 (Item C.79).

CONSEQUENCE OF NEGATIVE ACTION:

If this Board Order is not approved, the contractor will not be paid for services requested by County staff and provided in good faith by the contractor.