



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: November 9, 2021

Subject: Payment for Services Provided by Firstlocum, Inc. (dba Directshifts)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Auditor-Controller, to pay up to \$150,570 to Firstlocum, Inc. (dba Directshifts), for additional locum tenens specialty physician services for the period July 1, 2021 through July 31, 2021 at Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers.

FISCAL IMPACT:

This one-time payment of up to \$150,570 is to be funded by 100% Hospital Enterprise Fund I revenues.

BACKGROUND:

Contra Costa Regional Medical Center and Contra Costa Health Centers have an obligation to provide medical staffing services to patients. Therefore, the County contracts with temporary help firms to ensure patient care is provided during peak loads, temporary absences, vacations and emergency situations where additional staffing is required. The County has been using the contractor's services since August 1, 2019.

On August 4, 2020, the Board of Supervisors approved Contract #76-662-1, with

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **11/09/2021** ☒ 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: November 9, 2021

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

By: Stacey M. Boyd, Deputy

Contact: Samir Shah, M.D.,
925-370-5525

FirstLocum, Inc. (dba Directshifts), in an amount not to exceed \$1,400,000, for the provision of temporary locum tenens physician and other medical staffing services at CCRMC and Contra Costa Health Centers, for the period from August 1, 2020 through July 31, 2021.

BACKGROUND: (CONT'D)

On June 8, 2020, the Board of Supervisors approved Contract Amendment Agreement #76-662-2, with no increase in the payment limit of \$1,400,000, to provide additional classifications of temporary specialty physician services and recruiting services for coverage during peak loads, temporary absences, vacations and emergency situations where additional staffing is required, with no change in the contract term of August 1, 2020 through July 31, 2021.

On June 8, 2021, Board of Supervisors approved Contract Amendment Agreement #76-662-3 to increase the payment limit of \$1,400,000 by \$200,000 for a new payment limit of \$1,600,000, to provide additional temporary physician services and recruiting services for coverage during peak loads, temporary absences, vacations and emergency situations where additional staffing is required, with no change in the contract term of August 1, 2020 through July 31, 2021.

The Division requested temporary specialty locum tenens physician services during the contract period July 1, 2021 through July 31, 2021 that exceeded the contract payment limit of \$1,600,000. The total contract expenditures of \$1,750,569.30 exceed the payment limit by \$150,569.30. Utilization was higher than originally anticipated and additional service volume was shifted to the contractor from a former temporary physician provider. Therefore, the Division is requesting a payment to Firstlocum, Inc. (dba Directshifts) in an amount not to exceed \$150,570, to pay for services rendered outside of the contract payment limit.

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 after the original contract payment limit had been reached. The Department cannot pay the contractor for services rendered that exceed the contract limits. As such, the Department recommends that the Board authorize the Auditor-Controller to issue a one-time payment not to exceed \$150,570 to Firstlocum, Inc. (dba Directshifts).

CONSEQUENCE OF NEGATIVE ACTION:

If this Board Order is not approved, the contractor will not be paid for temporary specialty physician services requested by County staff and provided by the contractor.