



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: November 16, 2021

Subject: Payments for Services Provided by Ray Morgan, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Auditor-Controller, to pay \$459,687.41 to Ray Morgan Co. for managed print services (MPS) provided to Contra Costa Health Services (CCHS) for the period July 1, 2020 through July 30, 2021.

FISCAL IMPACT:

Approval of this action would result in a one-time expenditure of \$459,687.41 and will be funded by 50% Hospital Enterprise Fund I revenues and 50% General Fund.

BACKGROUND:

During the period between May 19, 2020 and January 26, 2021 ongoing and unresolved communications between the department and the vendor occurred in an effort to clarify volume and scope of services, and service integration within existing departmental support. These communications were significantly impacted by staff turnover and surges in Health Services Information Technology Division utilization associated with the County's emergency activation ongoing response to COVID-19.

Even though these issues were not resolved, on July 1, 2020, Ray Morgan Co. began

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/16/2021** ☒ 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 16, 2021

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

By: June McHuen, Deputy

Contact: Erika Jenssen,
925-957-2670

providing

BACKGROUND: (CONT'D)

support to 1,878 CCHS printing devices via implementation of an MPS program.

Due to the aforementioned administrative oversight, staff turnover and other complications surrounding scoping and service delivery associated with the County's ongoing emergency activation in response to COVID-19, the vendor was not paid by the County for goods provided and services rendered in good faith. Therefore, the County has determined that Ray Morgan Co. is entitled to payment for the reasonable value of goods provided and services rendered under the equitable relief theory of quantum meruit. That theory provides that where a vendor has been asked to provide services without a valid purchase order, and the vendor does so to the benefit of the recipient, the vendor is entitled to recover the reasonable value of those services.

The department has ultimately decided to discontinue utilization of MPS provided by the vendor as of July 30th, 2021, and is requesting that services provided before that date be paid.

CONSEQUENCE OF NEGATIVE ACTION:

If this board order is not approved, Ray Morgan Co. will not be paid for the MPS program services rendered in good faith.