



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: November 23, 2021

Subject: Payments for Services Provided by Atos Digital Health Solutions, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Auditor-Controller, to pay an amount not to exceed \$170,983 to Atos Digital Health Solutions, Inc. for additional consulting and technical support to the Health Services Department's Information Systems Unit for the Laboratory and Materials Management System for Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers for the period of April 1, 2021 through June 30, 2021.

FISCAL IMPACT:

Approval of this action would result in a one-time expenditure in an amount not to exceed \$170,983 and will be funded by 100% Hospital Enterprise Fund I revenues.

BACKGROUND:

On July 14, 2020, the Board of Supervisors approved Contract #23-455-17 with Atos Digital Healthcare Solutions, Inc., in an amount not to exceed \$570,000 to provide consulting and technical support to the Health Services Department's Information Systems Unit for the Laboratory and Materials Management System for CCRMC and Contra Costa Health Centers, for the period from July 1, 2020 through June 30, 2021.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **11/23/2021** ☒ 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 23, 2021

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

By: Stacey M. Boyd, Deputy

Contact: Jaspreet Benepal,
925-370-5101

The contractor has been extremely valuable in assisting Materials Management. Taking advantage of their years of supply chain

BACKGROUND: (CONT'D)

experience, the consultant helped the department identify and source the Personal Protective Equipment (PPE) needed to meet and maintain critical levels of equipment to protect the front-line caregivers and source the necessary supplies for treating the patients during the COVID-19 Pandemic.

Due to administrative oversight, an amendment was not requested to increase the payment limit for additional consulting. The payment limit through June 2021 was \$570,000. Due to an additional consultant, services requested through June 30, 2021 totaled \$740,982.66, which is \$170,982.66 over the originally projected cost for the months of April 1, 2021 through June 30, 2021.

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 \$170,983.

CONSEQUENCE OF NEGATIVE ACTION:

If this board order is not approved, Atos Digital Health Solutions, Inc. will not be paid for services rendered in good faith.