



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: May 17, 2022

Subject: Payment for Services Provided by Bay Area Community Services, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay up to \$96,016 to Bay Area Community Services, Inc. (BACS), a non-profit corporation, for operating the COVID-19 housing in Richmond for homeless individuals in Contra Costa County provided in good faith for the period February 1, 2022 through March 31, 2022.

FISCAL IMPACT:

This retro payment in an amount not to exceed \$96,016 is funded 100% by Federal and State Emergency funding.

BACKGROUND:

The Health Housing and Homeless Department (H3) has been contracting with BACS, since April 2020 to operate COVID-19 housing in Richmond for homeless individuals in Contra Costa County.

On October 12, 2021, the Board of Supervisors approved Contract #25-085-4 with BACS, in an amount not to exceed \$318,751, to operate COVID-19 housing in Richmond for homeless individuals in Contra Costa County for the period October 1, 2021 through

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **05/17/2022** ☒ 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 17, 2022

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

By: Stacey M. Boyd, Deputy

Contact: Christy Saxton,
925-608-6700

December 31, 2021.

On January 11, 2022, the Board of Supervisors approved Contract Amendment/Extension #25-085-5, to increase the payment limit from \$318,751 to a new payment limit not to exceed \$425,000 and to extend the termination date from December 31, 2021 to January 31, 2022.

Delays in processing are due to negotiations between H3 and BACS renewing their agreement. BACS, in good faith continued to provide staffing at the Best Western Richmond for COVID-19 Person Under Investigation (PUI) residents during the surge in COVID-19 positive cases, for the period February 1, 2022 through March 31, 2022.

Therefore, the County has determined that BACS 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, BACS will not be paid for services provided to County clients outside of the contract payment limit rendered in good faith.