



Contra Costa County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 16, 2022

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

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Auditor-Controller or designee, to pay up to \$45,611 to Atos Digital Health Solutions, Inc. for additional consulting and technical support provided to the Health Services Department's Information Systems Unit for the Laboratory and Materials Management System at the 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 will result in a one-time expenditure of up to \$45,611 and will be fully funded by Hospital Enterprise Fund I revenues.

BACKGROUND:

The Contra Costa Regional Medical Center (CCRMC) Material Management and BioMed units have been using the services of Atos Digital Healthcare Solutions, Inc. consultants (formerly Xerox Consultant Company, ACS Consultant Company, Inc.) since 2019, which has enabled significant cost savings and efficiency improvements for the Department.

On July 14, 2020, the Board of Supervisors approved Contract #23-455-17 with Atos

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/16/2022** ☒ 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: August 16, 2022

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

By: Antonia Welty, Deputy

Contact: Ronny Leffel,
925-550-2299

cc:

Digital Health Solutions, Inc. 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 Health Centers, for the period July 1, 2020 through June 30, 2021.

BACKGROUND: (CONT'D)

On June 8, 2021, the Board of Supervisors approved Contract #23-455-18 with Atos Digital Health Solutions, Inc. to provide consulting and technical support to the Health Services Department's Information Systems Unit for the Laboratory and Materials Management System for the Contra Costa Regional Medical Center (CCRMC) and Health Centers, for the period July 1, 2021 through June 30, 2022.

On November 23, 2021, the Board of Supervisors authorized issuance of a payment amount of up to \$170,983 to Atos Digital Healthcare Solutions, Inc., for additional consulting and technical support services provided to the Health Services Department in excess of the contract payment limit of Contract #23-455-17 for services rendered in good faith by the contractor during the period April 1, 2021 through June 30, 2021. Lack of administrative contract oversight, including monitoring of the Department's requested services and the contract payment limit resulted in this request to the Board.

In June 2022, the Department detected that additional lack of administrative oversight with contracts #23-455-17 and #23-455-18 resulted in the April 1, 2021 through June 30, 2021 invoices being erroneously charged against Contract #23-455-18 which had a term of July 1, 2021 through June 30, 2022.

Though the department had received Board authorization in November 2021, for the issuance of payment for services rendered in excess of the payment limit of Contract #23-455-17, the requested amount is insufficient to pay for the services and expenses incurred during the period of April 1, 2021 through June 30, 2021. When the request was made, it was unknown that the Department's Materials Management Accounts Payable staff had accidentally recorded invoices intended for the FY 2020/21 to the new FY 2021/22 contract in the Warrants and Requisitions system. Upon further investigation, it was determined that the shortage was due to administrative error.

The Department is requesting authorization for another payment to be made to this contractor, who is entitled to payment for the reasonable value of its services under the equitable relief theory of quantum meruit. The 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. Due to the coding error, the department cannot pay the contractor for services rendered that exceed the contract limit. As such, the Department recommends that the Board authorize the Auditor-Controller to issue a one-time payment not to exceed \$45,611.

CONSEQUENCE OF NEGATIVE ACTION:

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