



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 18, 2022

Subject: Payments for Services Provided by American Medical Response West

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Auditor-Controller, to pay \$126,847.56 to American Medical Response West, a corporation, for overdose prevention and education services for medical emergency 9-1-1 callers participating in the Choosing Change Program for overdose prevention services provided by Contractor in good faith for the period January 1, 2022 through September 30, 2022.

FISCAL IMPACT:

Approval of this payment will result in annual expenditures of \$126,847.56 and is funded 100% by State Opioid Multiagency Response Initiative Grants.

BACKGROUND:

The contractor collaborates with Contra Costa Public Health (CCPH) to implement the Choosing Change three-year pilot program. Contractor services include providing education to patients, family members and bystanders involved in 9-1-1 overdose emergency calls on the proper administration of Narcan, distributing Narcan for future use for patients post-Narcan administration and for family members or bystanders in high-risk situations, and administration of first dose of Buprenorphine to patients in acute withdrawal.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **10/18/2022** ☒ 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: October 18, 2022

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

By: June McHuen, Deputy

Contact: Ori Tzvieli, M.D.,
925-608-5267

On April 28, 2020, the Board of Supervisors approved Contract #72-147 with American Medical Response West, in an amount not to exceed \$233,816, to implement the Choosing Change Program, an overdose prevention program, which allows emergency responders to provide opioid overdose medication to patients and bystanders and education services on same for the period from January 1, 2020 through August 31, 2022.

On January 18, 2022, the Board of Supervisors approved Amendment/Extension Agreement #72-147-1, effective October 1, 2021 to decrease funds by \$116,231 to a new payment limit of \$117,585, and extend the contract term from August 31, 2022 to September 30, 2022, for contractor to continue providing overdose prevention services and education to patients, family members and bystanders involved in 9-1-1 overdose emergency calls and administration of Narcan and Buprenorphine.

BACKGROUND: (CONT'D)

It came to the attention of the Division in September, 2022 the payment limit had been decreased instead of increased on the prior Amendment/Extension Agreement #72-147-1 and invoices from the Contractor exceeded the amended contract payment limit by \$126,847.56 and Contractor had not been paid for services provided from January 1, 2022 through September 30, 2022.

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 amended contract payment limit had been reached. The Department cannot pay 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 \$126,847.56 to American Medical Response West.

CONSEQUENCE OF NEGATIVE ACTION:

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