



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 28, 2023

Subject: Contract #23-791 with Zoom Video Communications

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County a Master Subscription Agreement containing mutual indemnification with Zoom Video Communications, Inc., a corporation, in an amount not to exceed \$716,982, to provide a hosted enterprise telehealth and video conference solution for the period from March 15, 2023 through March 30, 2026.

FISCAL IMPACT:

This contract will result in contractual service expenditures of up to \$716,982 over a 3-year period and will be funded 100% by Hospital Enterprise Fund I revenues. (No rate increase)

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **02/28/2023** ☐ 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
Ken Carlson, 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: February 28, 2023

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

Contact: Rajiv Pramanik MD,
925-765-8689

By: , Deputy

BACKGROUND:

This contract meets the needs of the department by providing a hosted enterprise communication solution. Contra Costa Health Services (CCHS) utilizes Zoom Video Communications to provide telehealth services, patient communication, and meetings with internal and external partners. CCHS uses Zoom Video Communication solution services to support the Contra Costa Regional Medical Center, health clinics, and ancillary sites. Users are connected to and rely on this telehealth service to provide patient care to those unable to come into the department's physical locations for health care services. At the onset of the pandemic in 2020, the department issued an emergency purchase order to Zoom Video Communications to provide its telehealth, video conferencing, and IP telephones for CCHS, scheduled to expire on March 30, 2023. Under this action, the parties will execute a Master Service Agreement, and Business Associate Addendum to govern the services.

Zoom Video Communications was given a sole source contract for these services based on the large market share it possesses and to allow easy access to services. The department also utilizes Microsoft Teams for similar services internally but found it and other competitors had difficulty accommodating a large enterprise such as CCHS.

The contract requires the County to indemnify Zoom for: third party claims arising out of County's use of the Services in violation of the contract; the County's violation of any intellectual property or other right of any person; and the County's violation of any law. The contract limits Zoom's liability to three times the total charges paid to Zoom under the contract in the twelve months preceding the incident giving rise to the claim. The contract waives any right to bring a class action lawsuit.

Approval of this new Contract #23-791 allows the contractor to continue providing hosted enterprise communication solution services through March 30, 2026.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, CCHS will not be able to continue telehealth and video conference services through this vendor's product, which will negatively impact the department's ability to conduct daily business practices and patient care.