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Monterey County
Board of Supervisors

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066
www.co.monterey.ca.us

Board Order

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor Luis A. Alejo to: - Contact NMC

Agreement No.: A-12896 ; Amendment No.: 11	**Medical Search, LLC d.b.a. SUMO Medical Staffing & MDA Holdings, Inc. d.b.a. Medical Doctor Associates**
Agreement No.: A-12897 ; Amendment No.: 12	**Staff Care, Inc.**

Authorize the Chief Executive Officer ("CEO") for Natividad Medical Center (NMC) or his designee to execute amendment No. 11 to the agreements with Medical Search, LLC d.b.a. SUMO Medical Staffing (A-12896) and MDA Holdings, Inc. d.b.a. Medical Doctor Associates and amendment No. 12 to the agreement with Staff Care, Inc. (A-12897) for locum tenens physician referral services at NMC pursuant to the Request for Proposals (RFP) #9600-61, with no change to the agreement term of August 1, 2015 through June 30, 2024 and with an increase of $1,500,000 to the total aggregate liability for all agreements awarded for a revised total aggregate amount not to exceed $14,000,000

PASSED AND ADOPTED on this 4th day of June 2024, by roll call vote:

AYES: Supervisors Alejo, Church, Lopez, Askew, and Adams
NOES: None
ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting June 4, 2024.

Dated: June 17, 2024
File ID: A 24-223
Agenda Item No.: 21

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

Emmanuel H. Santos

Emmanuel H. Santos, Deputy

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Agreement A-12896

AMENDMENT NO. 11
TO SERVICES AGREEMENT
BETWEEN MEDICAL SEARCH, LLC
DBA SUMO MEDICAL STAFFING AND
THE COUNTY OF MONTEREY ON BEHALF OF NATIVIDAD MEDICAL CENTER
FOR
LOCUM TENENS REFERRAL SERVICES

This Amendment No. 11 to the Services Agreement ("Agreement") which was effective on August 1, 2015 is entered into by and between the County of Monterey, on behalf of Natividad Medical Center ("NMC"), and Medical Search, LLC dba SUMO Medical Staffing ("CONTRACTOR"); **From this point forward, the party referenced previously as "NMC" shall be referenced as "COUNTY" and collectively, COUNTY and CONTRACTOR are referred to as the "Parties" to this Agreement, with respect to the following:**

RECITALS

WHEREAS, the County of Monterey on behalf of Natividad Medical Center and Medical Search, LLC dba SUMO Medical Staffing entered into an Agreement for locum tenens referral services pursuant to Request for Proposal (RFP) #9600-61 with a one year term ending on July 31, 2016 and with a total aggregate amount not to exceed $2,000,000 annually for all Agreements awarded per RFP #9600-61; and

WHEREAS, the Parties amended the Agreement on August 1, 2016 via Amendment No. 1 to extend the term for an additional one (1) year period through July 31, 2017 with revisions to the locum tenens referral rates in the original Agreement per "Exhibit A – Rate Sheet as per Amendment No. 1" attached to Amendment No. 1, and with no cost increase to the total aggregate amount not to exceed $2,000,000 for all Agreements awarded per RFP #9600-61; and

WHEREAS, the Parties amended the Agreement on August 1, 2017 via Amendment No. 2 to extend the term for an additional one (1) year period through July 31, 2018 with revisions to the locum tenens referral rates in Agreement per "Exhibit A – Rate Sheet as per Amendment No. 2" with an increase of $2,000,000 to the total aggregate amount for all Agreements awarded per RFP #9600-61 for a revised total aggregate amount not to exceed $4,000,000 for all Agreements awarded per RFP #9600-61; and

WHEREAS, the Parties amended the Agreement on August 1, 2018 via Amendment No. 3 to extend the term for an additional one (1) year period through July 31, 2019 with revisions to the locum tenens referral rates in Agreement per "Exhibit A – Rate Sheet as per Amendment No.3" with an increase of $2,000,000 to the total aggregate amount for all Agreements awarded per RFP #9600-61 for a revised total aggregate amount not to exceed $6,000,000 for all Agreements awarded per RFP #9600-61; and

WHEREAS, the Parties amended the Agreement on August 1, 2019 via Amendment No. 4 to extend the term for an additional one (1) year period through July 31, 2020 with revisions to the locum tenens referral rates in Agreement per "Exhibit A – Rate Sheet as per Amendment No.4" with an increase of $2,000,000 to the total aggregate amount for all Agreements awarded per RFP #9600-61 for a revised total aggregate amount not to exceed $8,000,000 for all Agreements awarded per RFP #9600-61; and

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WHEREAS, Natividad seeks to ensure that appropriate and necessary physician services are available to Natividad patients during the COVID-19 pandemic; and

WHEREAS, in light of COVID-19, the Parties extended the term of the Agreement via Amendment No. 5 to extend the term by five (5) months through December 31, 2020 with no change to the locum tenens referral rates in the Agreement with an increase of $1,000,000 to the total aggregate amount for all Agreements awarded per RFP #9600-61 for a revised total aggregate amount not to exceed $9,000,000 for all Agreements awarded per RFP #9600-61; and

WHEREAS, the Parties amended the Agreement via Amendment No. 6 to extend the term for an additional one (1) year period through December 31, 2021 to allow for services to continue with revisions to the locum tenens referral rates in Agreement per "Exhibit A- Rate Sheet as per Amendment No. 6," with an increase of $1,500,000 to the total aggregate amount for all Agreements awarded per RFP #9600-61 for a revised total aggregate amount not to exceed $10,500,000 for all Agreements awarded per RFP# 9600-61; and

WHEREAS, the Parties amended the Agreement via Amendment No. 7 to allow for services to continue with additional changes to reflect clarifications in the law attached hereto as "Exhibit B" with no changes to the locum tenens referral rates, total aggregate amount, or term of Agreement August 1, 2015 through December 31, 2021 for all Agreements awarded per RFP #9600-61.

WHEREAS, the Agreement expired on December 31, 2021; and

WHEREAS, the Parties wish to renew and amend the Agreement on the same or similar terms, beginning January 1, 2022 and to extend the term for an additional six (6) month period through June 30, 2022 for a revised full Agreement term of August 1, 2015 through June 30, 2022 to allow for services to continue with revisions to the original scope of work attached hereto as "Exhibit A-8 as per Renewal and Amendment No. 8" with no cost increase to the total aggregate amount not to exceed $10,500,000 for all Agreements awarded per RFP #9600-61; and

NOW, THEREFORE, the Parties agree to amend the Agreement as follows:
WHEREAS, the Parties renewed and amended the Agreement via Renewal and Amendment No. 8 on the same or similar terms, beginning January 1, 2022 and to extend the term for an additional six (6) month period through June 30, 2022 for a revised full Agreement term of August 1, 2015 through June 30, 2022 to allow for services to continue with revisions to the original scope of work attached hereto as "Exhibit A-8 as per Renewal and Amendment No. 8" with no cost increase to the total aggregate amount not to exceed $10,500,000 for all Agreements awarded per RFP #9600-61; and

WHEREAS, the Agreement expired on June 30, 2022; and

WHEREAS, the Parties renewed and amended the Agreement via Renewal and Amendment No. 9 on the same or similar terms, beginning July 1, 2022 and to extend the term for an additional one (1) year period through June 30, 2023 for a revised full Agreement term of August 1, 2015 through June 30, 2023 to allow for services to continue with revisions to the original scope of work attached hereto as "Exhibit A-9 as per Renewal and Amendment No. 9" with no change to the total aggregate amount of $10,500,000 for all Agreements awarded per RFP #9600-61; and

WHEREAS, the Parties renewed the Agreement on July 1, 2023 via Amendment No. 10 to extend the term for an additional one (1) year period through June 30, 2024 for a revised full Agreement term of August 1, 2015 through June 30, 2024 with an increase of $2,000,000 to the total aggregate amount for all Agreements awarded per RFP #9600-61 for a revised total aggregate amount not to exceed $12,500,000 for all Agreements awarded per RFP #9600-61; and

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WHEREAS, the Parties wish to amend the Agreement via Amendment No. 11 on same or similar terms to add $1,500,000 to the total payable amount for a revised total aggregate amount not to exceed $14,000,000 for all Agreements awarded per RFP #9600-61, with no change to the Agreement term (August 1, 2015 through June 30, 2024).

AGREEMENT

NOW, THEREFORE, the Parties agree to amend the Agreement as follows:

The Agreement is hereby renewed and amended on the terms and conditions as set forth in the Original Agreement and in Amendment No. 1, Amendment, No. 2, Amendment No. 3, Amendment No. 4, Amendment No. 5, Amendment No. 6, Amendment No. 7, Renewal and Amendment No. 8, and Renewal and Amendment No. 9, Amendment No. 10 and in this Amendment No. 11 incorporated herein by this reference, except as specifically set forth below.

1. Section 1.24 titled, "COMPENSATION AND PAYMENTS" shall be amended to the following: ***"It is mutually understood and agreed by both parties that CONTRACTOR shall be compensated under this AGREEMENT in accordance with the pricing sheet attached hereto as Exhibit A-11. The total aggregate amount shall not exceed $14,000,000 for all Agreements awarded per RFP #9600-61."***

2. If there is any conflict or inconsistency between the provisions of Agreement, or this Amendment No. 11, the provisions of this Amendment No. 11 shall govern.

3. This Amendment No. 11 shall be effective when signed by the Parties.

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IN WITNESS WHEREOF, the Parties hereby execute this Amendment No. 11 as follows:

COUNTY OF MONTEREY on behalf of NATIVIDAD MEDICAL CENTER

By: DocuSigned by: Charles R. Harris 4E1F837D204E481...
Charles R. Harris, CEO

Date: 6/25/2024 | 9:56 AM PDT

APPROVED AS TO LEGAL PROVISIONS

By: DocuSigned by: 696D21D44C4341D...
Monterey County Deputy County Counsel

Date: 5/10/2024 | 11:53 AM PDT

APPROVED AS TO FISCAL PROVISIONS

By: DocuSigned by: Patricia Ruiz E79EF64E57454F6...
Monterey County Deputy Auditor/Controller

Date: 5/14/2024 | 8:06 AM PDT

CONTRACTOR

Medical Search, LLC dba SUMO Medical Staffing
CONTRACTOR's Business Name
See instructions below

By: Jeff Parker
(Signature of: Chair, President, or Vice-President)

Jeff Parker CEO
Name and Title

Date: January 10, 2024

By: Kevin Anderson
(Signature of: Secretary, Asst. Secretary, CFO, Treasurer, or Asst. Treasurer)

Kevin Anderson CFO
Name and Title

Date: January 10, 2024

Instructions

If CONTRACTOR is a corporation; including limited liability and non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two specified officers (two signatures required).

If CONTRACTOR is a partnership; the name of the partnership shall be set forth above together with the signature of a partner who has authority to execute this Agreement on behalf of the partnership (two signatures required).

If CONTRACTOR is contracting in an individual capacity, the individual shall set forth the name of the business, if any and shall personally sign the Agreement (one signature required).