



Legislation Details (With Board Report)

File #: A 14-134 **Name:** LUGO FIRST AMENDMENT
Type: BoS Agreement **Status:** Passed
File created: 6/5/2014 **In control:** Board of Supervisors
On agenda: 6/24/2014 **Final action:** 6/24/2014

Title: a. Authorize and direct the Purchasing Manager for Natividad Medical Center (NMC) to execute the First Amendment to the Professional Services Agreement with Brian Alan Lugo M.D. to provide general and critical care surgery services at NMC, extending the term to June 30, 2015 and adding \$300,000 for a revised Agreement amount not to exceed \$400,000 in the aggregate (for the period August 1, 2013 to June 30, 2015); and
b. Authorize the Purchasing Manager for NMC to sign up to three (3) amendments to this agreement where the total amendments do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

Sponsors:

Indexes:

Code sections:

Attachments: 1. LUGO FIRST AMENDMENT.pdf, 2. Completed Board Order

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|----------|--------|
| 6/24/2014 | 1 | Board of Supervisors | approved | |

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b. Authorize the Purchasing Manager for NMC to sign up to three (3) amendments to this agreement where the total amendments do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a) Authorize and direct the Purchasing Manager for Natividad Medical Center (NMC) to execute the First Amendment to the Professional Services Agreement with Brian Alan Lugo M.D. to provide general and critical care surgery services at NMC, extending the term to June 30, 2015 and adding \$300,000 for a revised Agreement amount not to exceed \$400,000 in the aggregate (for the period August 1, 2013 to June 30, 2015); and
- b) Authorize the Purchasing Manager for NMC to sign up to three (3) amendments to this agreement where the total amendments do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

SUMMARY/DISCUSSION:

Natividad Medical Center (NMC) was recommended for future designation as the Level II Trauma Center for Monterey County. The American College of Surgeons requires acute critical care surgeons to be available in-

house with a 15 minute response time for Level II Trauma Centers. In order to provide 24/7 care, it is necessary to develop and sustain a core team of quality surgeons made up of employed and independent contract physicians to provide daily call coverage in the Emergency Department and follow-up care to patients in the Intensive Care Unit.

NMC has an agreement with Brian Alan Lugo M.D., a board certified and fellowship trained trauma and critical surgeon to provide general and critical care services. Dr. Lugo is part of the team assisting with the development of comprehensive trauma services at NMC in preparation for the Level II Trauma Center activation. NMC wishes to amend the agreement with Dr. Lugo to extend the term and to add to the amount payable for services during the extended term.

Dr. Lugo is paid a daily rate for coverage services. NMC has obtained an independent opinion of fair market value supporting the payment terms of this Agreement

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed and approved this Amendment/Agreement as to legal form and risk provisions. Auditor-Controller has reviewed and approved this Amendment/Agreement as to fiscal provisions. The CAO-Budget and Analysis Division has advised to inform the BOS the spending authority (appropriations) associated with NMC's FY 2014 Adopted Budget has been exceeded and approval and authorization for modification of NMC's appropriation budget should be presented to the BOS. Since NMC is an Enterprise Fund, this does not present continued expenditures and is not a legal requirement, but it is considered good public policy, transparency and fiscal management. The Amendment/Agreement has also been reviewed and approved by Natividad Medical Center's Finance Committee on May 22, 2014 and Board of Trustees on June 6, 2014.

FINANCING:

The total cost of this Amendment is \$300,000. The maximum not to exceed amount of this Agreement is \$400,000 for the period August 1, 2013 to June 30, 2015. The actual cost is contingent upon Dr. Lugo's level of participation in the call panel, which may fluctuate based on his availability. NMC has agreements with multiple providers to cover this service; the total amount of these agreements may equal more than \$1,300,000; however the actual expenditure will not exceed the \$1,300,000 annually which is included in the Fiscal Year 2014/2015 Recommended Budget. \$100,000 was disbursed in Fiscal Year 2013/2014. NMC is confirming its appropriations position and if its spending authority has been exceeded will return to the Board. There is no impact to the General Fund.

Prepared by: Jeanne-Ann Balza, Management Analyst, 783.2506

Approved by: Harry Weis, Chief Executive Officer, 783.2553

Attachments:

First Amendment; Agreement

Attachments on file at the Clerk of the Board