



# County of Monterey

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Legislation Details (With Board Report)

**File #:** A 17-140      **Name:** Joel Weinstein MD Fourth Amendment  
**Type:** BoS Agreement      **Status:** Passed  
**File created:** 5/4/2017      **In control:** Board of Supervisors  
**On agenda:** 5/23/2017      **Final action:** 5/23/2017

**Title:** a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute the Fourth Amendment to Professional and Call Coverage Services Agreement (A-11740) with Joel Weinstein MD to provide general surgery services, extending the term by thirty-six (36) months (July 1, 2017 to June 30, 2020) for a revised full agreement term of July 1, 2011 to June 30, 2020, and adding \$1,200,000 for a revised total not to exceed amount of \$3,400,000 in the aggregate; and  
b. Authorize the Deputy Purchasing Agent for NMC to sign up to three (3) future amendments to this agreement where the total amendments do not exceed the term by more than twelve (12) months, do not significantly change the scope of work, and do not cause an increase of more than ten percent 10% (\$29,640) of the original contract amount per each amendment.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Joel Weinstein MD Fourth Amendment.pdf, 3. Joel Weinstein MD Third Amendment.pdf, 4. Joel Weinstein MD Second Amendment.pdf, 5. Joel Weinstein MD First Amendment.pdf, 6. Joel Weinstein MD Agreement.pdf, 7. Completed Board Order

Date	Ver.	Action By	Action	Result
5/23/2017	1	Board of Supervisors	approved	

a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute the Fourth Amendment to Professional and Call Coverage Services Agreement (A-11740) with Joel Weinstein MD to provide general surgery services, extending the term by thirty-six (36) months (July 1, 2017 to June 30, 2020) for a revised full agreement term of July 1, 2011 to June 30, 2020, and adding \$1,200,000 for a revised total not to exceed amount of \$3,400,000 in the aggregate; and  
b. Authorize the Deputy Purchasing Agent for NMC to sign up to three (3) future amendments to this agreement where the total amendments do not exceed the term by more than twelve (12) months, do not significantly change the scope of work, and do not cause an increase of more than ten percent 10% (\$29,640) of the original contract amount per each amendment.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

- a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute the Fourth Amendment to Professional and Call Coverage Services Agreement (A-11740) with Joel Weinstein MD to provide general surgery services, extending the term by thirty-six (36) months (July 1, 2017 to June 30, 2020) for a revised full agreement term of July 1, 2011 to June 30, 2020, and adding \$1,200,000 for a revised total not to exceed amount of \$3,400,000 in the aggregate; and
- b. Authorize the Deputy Purchasing Agent for NMC to sign up to three (3) future amendments to this agreement where the total amendments do not exceed the term by more than twelve (12) months, do not significantly change the scope of work, and do not cause an increase of more than ten percent 10% (\$29,640) of the original contract amount per each amendment.

SUMMARY/DISCUSSION:

NMC must arrange for the care and treatment of patients who present to the emergency department or outpatient clinic in need of medical care. NMC has an agreement with Joel Weinstein MD to provide 24 hour general surgery call coverage as scheduled in the emergency department and necessary follow-up to inpatients as well as outpatient specialty clinic services. NMC wishes to amend the agreement with Dr. Weinstein to extend the term an additional thirty-six (36) months in order to continue to provide the same services without interruption. Dr. Weinstein is paid according to the terms of this agreement for the actual number of call coverage, surgeries and clinic services provided, although the amount of services may increase due to patient volume and the need for coverage, rate of pay remains the same. 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 as to legal form and risk provisions. Auditor-Controller has reviewed and approved this Amendment as to fiscal provisions. The Amendment has also been reviewed and approved by Natividad Medical Center's Finance Committee and Board of Trustees on May 5, 2017.

FINANCING:

The cost of this amendment is \$1,200,000. The total cost for this Agreement is \$3,400,000 for the period July 1, 2011 to June 30, 2020. \$225,800 was disbursed in Fiscal Year 2011/2012; \$366,182 was disbursed in the Fiscal Year 2012/2013; \$451,386 was disbursed in Fiscal Year 2013/2014; \$355,241 was disbursed in Fiscal Year 2014/2015; \$447,273 was disbursed in Fiscal Year 2015/2016; and \$205,884 has been disbursed in Fiscal Year 2016/2017 (8 months). \$400,000 is included in the Fiscal Year 2017/2018 Recommended Budget. The remaining amount will be included in subsequent Fiscal Years. There is no impact to the General Fund.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The services rendered in this agreement provide NMC with the additional support it needs in order to provide reliable and high quality patient care which improves the health and quality of life for patients and their families.

- Economic Development
- Administration
- Health and Human Services
- Infrastructure
- Public Safety

Prepared by: Jeanne-Ann Balza, Management Analyst, 783.2506  
Approved by: Gary Gray D.O., Chief Executive Officer, 783.2553

Attachments: Agreement; First-Fourth Amendment

Attachments on file at the Clerk of the Board