



County of Monterey

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

Board Report

File #: 12-746, Version: 1

- a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign two (2) agreements with Maxim Healthcare Services, Inc. for a total of \$17,800 for in-home care services for Adult Protective Services (APS) and Area Agency on Aging (AAA) clients, including non-standard Mutual Indemnification and Termination language for the period July 1, 2012 to June 30, 2013; and
- b. Authorize the Director of the Department of Social & Employment Services, or his designee, to sign up to three (3) amendments to each agreement, where the total amendments do not exceed 10% of the original contract amounts, and do not significantly change the scopes of work.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign two (2) agreements with Maxim Healthcare Services, Inc. for a total of \$17,800 for in-home care services for Adult Protective Services (APS) and Area Agency on Aging (AAA) clients, including non-standard Mutual Indemnification and Termination language for the period July 1, 2012 to June 30, 2013; and
- b. Authorize the Director of the Department of Social & Employment Services, or his designee, to sign up to three (3) amendments to each agreement, where the total amendments do not exceed 10% of the original contract amounts, and do not significantly change the scopes of work.

SUMMARY/DISCUSSION:

Contractor provides in-home services for APS and AAA clients to support individuals in remaining in their homes and avoiding premature institutionalization. Services include personal care, homemaker, live-in, sleep-over, chore, and nursing services. Upon request of Maxim Healthcare Services, Inc. in FY 2011/12, the County modified its standard unilateral indemnification provision to include mutual indemnity. The contractor has also requested that Section 7, TERMINATION, be modified to include non-standard mutual termination provisions.

It is recommended that the proposed contract's non-standard mutual indemnity and termination language be approved as modified, and as set forth in the exhibits to these contracts. It is the Department's position that these modifications to the County's standard provisions are necessary due to limited alternative resources for these services, the desire to preserve an ongoing positive relationship with the current provider, and the need for uninterrupted service. The new agreements contain the modified contractual language and are being brought before the Board for approval. These agreements were delayed coming to the Board due to delays in contractor's signature process and return to County.

Maxim Healthcare Services (Adult Services)	\$2,500
Maxim Healthcare Services (AAA)	<u>\$15,300</u>
	\$17,800

OTHER AGENCY INVOLVEMENT:

County Counsel, the Auditor-Controller and Purchasing have reviewed and approved these agreements, with the exception of the non-standard language which is being submitted for Board approval.

FINANCING:

The Adult Services agreement is funded 85% by Social Services and 15% County General Funds (15%); the AAA agreement is funded 100% by Older American Act Funds. Sufficient appropriations and estimated revenues in SOCO05 and SOCO10 are included in the FY 2012-13 Adopted Budget. Approval of this action has no additional impact to the County General Fund.

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Prepared by: Ethan Hurley, Management Analyst, 3584

Approved by: Elliott Robinson, Director, 4434

Attachments:

Maxim Healthcare Services, Inc. Agreements

Originals on file with Clerk to the Board