



County of Monterey

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

Board Report

File #: A 15-082, **Version:** 1

Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute Amendment No. 9 to the Agreement (A-10789) with Foley & Lardner LLP for Independent Consulting and Legal Services at NMC, maintaining the existing term end date of June 30, 2015 and adding \$350,000 for a revised total Agreement amount not to exceed \$2,968,000 in the aggregate. (CORRECTED VIA SUPPLEMENTAL)

RECOMMENDATION:

It is recommended the Board of Supervisors:

Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute Amendment No. 9 to the Agreement (A-10789) with Foley & Lardner LLP for Independent Consulting and Legal Services at NMC, maintaining the existing term end date of June 30, 2015 and adding \$350,000 for a revised total Agreement amount not to exceed \$2,968,000 in the aggregate.

SUMMARY/DISCUSSION:

Foley & Lardner LLP specializes in healthcare law, and has for years provided advice and counsel, in consultation with the Office of the County Counsel, on a variety of healthcare-related issues to NMC. The firm represents the California Association of Public Hospitals (CAPH) and works frequently with the state government and CAPH in drafting legislation for the benefit of public hospitals statewide. The firm's expertise in public hospital healthcare law, in areas such as Medi-Cal funding to hospitals, is of significant importance to Natividad Medical Center.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed and approved this Amendment as to legal form and risk provisions, and the Auditor-Controller has reviewed and approved as to payment provisions.

An amendment adding \$250,000 was reviewed and approved by NMC's Finance Committee on March 5, 2015 and also was approved for forwarding to the Board of Supervisors for approval by the Board of Trustees on March 6, 2015. During the current fiscal year, Foley & Lardner provided services concerning more than one County department. In order to cover unpaid invoices related to the work performed on behalf of multiple departments and to have sufficient funds for work provided in the last few months of the fiscal year, the maximum liability was re-evaluated after the Finance Committee and Board of Trustees approvals. The proposed Amendment No. 9 now adds \$350,000 to cover payment for all unpaid and any new matters through the end of the fiscal year. Any unspent funds will not roll over, as this will be the last amendment to this Agreement. A new agreement would need to be negotiated for future years.

FINANCING:

The cost for this Amendment No. 9 is \$350,000 which is included in the Fiscal Year 2014-15 Adopted Budget. There is no impact to the General Fund.

Prepared by: Daniel Leon, Chief Financial Officer, 783-2561

Approved by: Gary R. Gray, Interim Chief Executive Officer, 783-2504

Attachments:

Amendment No. 9

Amendments No. 1 through No. 8

Foley Lardner Original Agreement

Spend Sheet

Attachments on file with the Clerk of the Board