



Monterey County Board of Supervisors

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Board Order

A motion was made by Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to:

Agreement No.: A-13506; Amendment No. 8

Authorize the Interim Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute amendment No. 8 to the agreement (A-13506) with Focus One Solutions, LLC for recruitment of contracted (traveler) nurses pursuant to the Request for Proposal (RFP) # 9600-62, adding \$10,000,000 for a revised total agreement amount not to exceed \$55,563,000, with no changes to the current agreement term of April 19, 2020 through April 18, 2022.

PASSED AND ADOPTED on this 7th day of December 2021, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Askew and Adams
NOES: None
ABSENT: None
(Government Code 54953)

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 December 7, 2021.

Dated: December 13, 2021
File ID: A 21-557
Agenda Item No.: 39

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

Julian Lorenzana, Deputy

**AMENDMENT NO. 8
TO SERVICES AGREEMENT
BETWEEN FOCUS ONE SOLUTIONS, LLC AND
NATIVIDAD MEDICAL CENTER
FOR
HEALTHCARE VENDOR MANAGEMENT SYSTEM**

This Amendment No. 8 to the Services Agreement (“Agreement”) which was effective on April 19, 2017 is entered into by and between the County of Monterey, on behalf of Natividad Medical Center (hereinafter “NMC”), and Focus One Solutions, LLC (hereinafter “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 Focus One Solutions, LLC entered into an Agreement for a Healthcare Vendor Management System pursuant to RFP # 9600-62 with a term of April 19, 2017 through April 18, 2018 with the option to extend for two (2) additional two (2) year periods and a total Agreement amount not to exceed \$5,000,000; and

WHEREAS, COUNTY and CONTRACTOR amended the Agreement on April 20, 2017 via Amendment No. 1 to modify the Agreement’s Exhibit A – Pricing and Payment Provisions of Professionals, to include a paragraph to acknowledge rates and requirements specially for “on-call” and “call-back” situations, with no change to the Agreement term or the total Agreement amount; and

WHEREAS, COUNTY and CONTRACTOR amended the Agreement on April 18, 2018 via Amendment No. 2 to amend the Agreement’s administration fee in Section 3.18 and to replace the fee in Section 18.2, and to extend the term for an additional one (2) year period through April 18, 2020, and to add an additional \$2,000,000 for a total Agreement amount not to exceed \$7,000,000; and

WHEREAS, COUNTY and CONTRACTOR amended the Agreement on January 16, 2019 via Amendment No. 3 to add an additional \$5,00,000, for a total Agreement amount not to exceed \$12,000,000, with no change to the Agreement term; and

WHEREAS, COUNTY and CONTRACTOR amended the Agreement on March 2, 2020 via Amendment No. 4 to extend the term for an additional two (2) year period to allow for services to continue, and to add an additional \$8,563,000, for a total Agreement amount not to exceed \$20,563,000; and

WHEREAS, COUNTY and CONTRACTOR amended the Agreement via Amendment No. 5 to add Exhibit A-5 Temporary Rate Schedule for Clinical Professionals, for revised temporary rates for RN: Medical/Surgical and RN: ICU and ER, with no changes to the Agreement term or total Agreement amount with no change to the Agreement term or the total Agreement amount; and

WHEREAS, COUNTY and CONTRACTOR amended the Agreement via Amendment No. 6 to add an additional \$10,000,000 due to the increased need for registry staff due to COVID-19, for a total Agreement amount not to exceed \$30,563,000, with no change to the Agreement term; and

WHEREAS, COUNTY and CONTRACTOR amended the Agreement via Amendment No. 7 to add an additional \$15,000,000 due to the increased need for registry staff due to COVID-19, for a total Agreement amount not to exceed \$45,563,000, with no change to the Agreement term; and

WHEREAS, COUNTY and CONTRACTOR currently wish to amend the Agreement to add an additional \$10,000,000 in order to cover the increased service needs associated with COVID-19, for a

total Agreement amount not to exceed \$55,563,000, with no change to the Agreement term of April 19, 2017 through April 18, 2022.

AGREEMENT

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

The Agreement is hereby renewed on the terms and conditions as set forth in the Original Agreement and in Amendments No. 1 through Amendment No 7, incorporated herein by this reference, except as specifically set forth below.

1. Section 5.1, under “COMPENSATION AND PAYMENTS”, the second sentence shall be amended to the following:
“The total amount payable by COUNTY to CONTRACTOR under this Agreement shall not exceed \$55,563,000.”
2. Except as provided herein, all remaining terms, conditions and provisions of the Agreement are unchanged and unaffected by this Amendment No. 8 and shall continue in full force and effect as set forth in the Agreement and in Amendment No. 1 through Amendment No 7.
3. A copy of this Amendment No. 8 shall be attached to the Agreement.
4. This Amendment No. 8 shall be effective when signed by both parties.

The remainder of this page was intentionally left blank.

~ Signature page to follow ~

IN WITNESS WHEREOF, the Parties hereto are in agreement with this Amendment No. 8 on the basis set forth in this document and have executed this Amendment No. 8 on the day and year set forth herein.

COUNTY OF MONTEREY on behalf of
NATIVIDAD MEDICAL CENTER

By: Charles R. Harris
~~Gary R. Gray, DO, CEO~~
Charles R. Harris, MD, Interim CEO

Date: 12/15/21

APPROVED AS TO LEGAL PROVISIONS

By: Haley L. Sells
Monterey County Deputy County Counsel

Date: 11/2/2021

APPROVED AS TO FISCAL PROVISIONS

By: gary k giboney
Monterey County Deputy Auditor/Controller

Date: 11/4/2021

CONTRACTOR

Focus One Solutions LLC
CONTRACTOR's Business Name
See instructions below

By: What H. Ngo
(Signature of: Chair, President, or Vice-President)

Chief Commercial Officer
Name and Title

Date: 10/27/21

By: [Signature]
(Signature of: Secretary, Asst. Secretary, CFO,
Treasurer, or Asst. Treasurer)

Stephen Pedersen Secretary
Name and Title

Date: 10-20-21

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).