RESOLUTION - ACTION REQUESTED 2017-570

MEETING: August 22, 2017

TO: The Board of Supervisors

FROM: Chevon Kothari, Human Services Director

RE: First Amendment to Contract with John C. Fremont Healthcare District.

RECOMMENDATION AND JUSTIFICATION:
Approve the First Amendment to the John C. Fremont Healthcare District agreement to provide healthcare services for Mariposa County, removing the waiver of subrogation clause from the existing agreement; and authorize the Board of Supervisors Chair to sign the amendment.

The current John C. Fremont Health Care District Agreement has a contract term running from July 1, 2017 to June 30, 2018 in an amount not to exceed $5,000. The insurer of the contractor is not able to authorize the waiver of subrogation clause mentioned in the agreement and would not be able to issue a certificate of insurance to John C. Fremont Healthcare District.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The existing Agreement was approved by the County Administrative Officer and County Counsel on May 18, 2017.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
If this Amendment is not approved, Behavioral Health will have to find alternative placement for current and future clients.

FINANCIAL IMPACT:
This Amendment does change the costs associated with the original Agreement. This item is funded in the Mental Health budget and is paid with Mental Health Realignment funds. There is no impact on the County General Fund.

ATTACHMENTS:
JC Fremont First Amendment 2018 - WsSignature July 17 2017 (PDF)
JC Fremont Agreement 2018 - Wsignatures (PDF)

CAO RECOMMENDATION
Requested Action Recommended
RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: Rosemarie Smallcombe, District I Supervisor
SECONDER: Merlin Jones, District II Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey
FIRST AMENDMENT TO AGREEMENT FOR HEALTHCARE SERVICES

THIS FIRST AMENDMENT TO AGREEMENT FOR HEALTHCARE SERVICES is made and entered into this 13th day of July, 2017, by and between the County of Mariposa, a political subdivision of the State of California, hereinafter referred to as “County”, and John C. Fremont Healthcare District, hereinafter referred to as “Contractor”.

WHEREAS, the County and Contractor have heretofore entered into an Agreement dated May 18, 2017, wherein Contractor agreed to provide healthcare services; and

WHEREAS, County and Contractor desire to amend said Agreement to remove Paragraph 4.B(4) from the Agreement.

NOW, THEREFORE, the parties hereto in consideration of the mutual covenants herein recited, hereby agree as follows:

1. Paragraph 4.B(4), “Waiver of Subrogation: Contractor hereby grants to County a waiver of any right to subrogation which any insurer of said Contractor may acquire against the County by virtue of the payment of any loss under such insurance. Contractor agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the County has received a waiver of subrogation endorsement from the insurer.”, is hereby removed from said Agreement.

2. Except as herein amended, the agreement dated May 18, 2017 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed on the date first above written.

COUNTY OF MARIPOSA:

Marshall Long, Chairman
Mariposa County Board of Supervisors

CONTRACTOR:

John C. Fremont Healthcare District
Matthew Matthiessen, CFO & Interim CEO

ATTEST:

RENE LAROCHE
Clerk of the Board

APPROVED AS TO FORM:

STEVEN W. DAHLEM
County Counsel

LAST UPDATED 1/9/17