



## Legislation Details (With Text)

**File #:** 10-1200      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 10/29/2010      **In control:** Board of Supervisors

**On agenda:** 12/7/2010      **Final action:** 12/7/2010

**Title:** Health Services Department recommending the Board authorize the Chair to sign Amendments to four Alcohol and Other Drug Counseling Agreements for the period July 1, 2010 through June 30, 2011 as follows:

- 1) EDCA Lifeskills, Agreement 042-110-P-E2010: original amounts \$12,000 provisional and \$20,000 not-to-exceed; amended amounts \$51,384 provisional and \$70,000 not-to-exceed;
- 2) New Morning Youth and Family, Agreement 087-110-P-E2010: original amounts \$13,161 provisional and \$20,000 not-to-exceed; amended amounts \$61,088 provisional and \$70,000 not-to-exceed;
- 3) Progress House, Agreement 097-110-P-E2010: original amounts \$33,660 provisional and \$40,000 not-to-exceed; amended amounts \$187,204 provisional and \$200,000 not-to-exceed; and
- 4) Tahoe Youth and Family Services, Agreement 097-110-P-E2010; original amounts \$17,400 provisional and \$20,000 not-to-exceed; amended amounts \$74,541 provisional and \$87,000 not-to-exceed.

**FUNDING:** State Negotiated Net Amount (NNA) Agreement.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Blue Sheet A1,123-110-P-E2010.pdf, 2. B - A1, 123-110-P-E2010.pdf, 3. C - 123-110-P-E2010.pdf, 4. D - Blue Sheet A1, 042-110-P-E2010.pdf, 5. E - A1, 042-110-P-E2010.pdf, 6. F - 042-110-P-E2010.pdf, 7. G - Blue Sheet A1, 087-110-P-E2010.pdf, 8. H- A1, 087-110-P-E2010a.pdf, 9. I - 087-110-P-E2010.pdf, 10. J - Blue Sheet A1, 097-110-P-E2010.pdf, 11. K - A1, 097-110-P-E2010.pdf, 12. L- 097-110-P-E2010.pdf

Date	Ver.	Action By	Action	Result
12/7/2010	1	Board of Supervisors	Approved	Pass

Health Services Department recommending the Board authorize the Chair to sign Amendments to four Alcohol and Other Drug Counseling Agreements for the period July 1, 2010 through June 30, 2011 as follows:

- 1) EDCA Lifeskills, Agreement 042-110-P-E2010: original amounts \$12,000 provisional and \$20,000 not-to-exceed; amended amounts \$51,384 provisional and \$70,000 not-to-exceed;
- 2) New Morning Youth and Family, Agreement 087-110-P-E2010: original amounts \$13,161 provisional and \$20,000 not-to-exceed; amended amounts \$61,088 provisional and \$70,000 not-to-exceed;
- 3) Progress House, Agreement 097-110-P-E2010: original amounts \$33,660 provisional and \$40,000 not-to-exceed; amended amounts \$187,204 provisional and \$200,000 not-to-exceed; and
- 4) Tahoe Youth and Family Services, Agreement 097-110-P-E2010; original amounts \$17,400 provisional and \$20,000 not-to-exceed; amended amounts \$74,541 provisional and \$87,000 not-to-exceed.

**FUNDING:** State Negotiated Net Amount (NNA) Agreement.

BUDGET SUMMARY:		
Total Estimated Cost		\$374,217
Funding	Original Amount	Amended Amount
Budgeted (at Addenda)		\$374,217
EDCA Lifeskills	\$12,000	\$51,384
New Morning Youth & Family	\$13,161	\$61,088
Progress House	\$33,660	\$187,204
Tahoe Youth & Family	\$17,400	\$74,541
Change To Net County Cost	\$0	\$0

Fiscal Impact/Change to Net County Cost: There is no Net County Cost associated with these Agreements. All funding is from the State NNA Agreement. There are sufficient appropriations within the character set 40 of 11-109-002 to provide for these amendments. The Department will request a current year budget adjustment at midyear if needed.

Background: The Health Services Department's Alcohol and Drug Program receives an annual State Negotiated Net Amount (NNA) Agreement that includes multiple State and Federal funding streams to provide substance abuse counseling, testing, and treatment services. The Department subcontracts a portion of these services to local treatment service providers, having determined that these services are more economically and feasibly performed by outside independent entities, as authorized by the El Dorado County Charter, Section 210 (b) (6) and/or Government Code 31000.

Agreements for services were initiated for fiscal year (FY) 2010-11 utilizing existing FY 2009-10 carry-forward funding to ensure ongoing services. At this time, the Department has received the fully executed FY 2010-11 NNA Agreement from the State, and brings the aforementioned Amendments I to the Board to incorporate the FY 2010-11 allocations into the existing Alcohol and Other Drug Counseling Agreements.

Agreements such as these have historically been amended numerous times to ensure providers are fully compensated as the impact of clients seeking services through any one vendor cannot be accurately predicted at the beginning of any fiscal year. The process of formally amending contracts is time-consuming and costly. Therefore, working with County Counsel, staff developed contract language which allows the Health Services Director to modify provisional compensation amounts (within specified not-to-exceed limits) to ensure vendors receive payment appropriately without necessitating formal contract amendments.

Per this contract language, the Director may increase or decrease the provisional amount of each contract (based upon the level of service provided by the contractor) as long as the authorized provisional compensation for that contract remains within the applicable not-to-exceed (NTE) amount of that contract. The Director will not authorize total compensation for all contractors combined that exceeds the total of the provisional amounts for all contracts (i.e., \$374,217). Should an NTE amount need to be increased to accommodate service requirements, the Department will return to the Board to request a formal contract amendment.

Compensation for Services: Payments are made to each Contractor based upon monthly invoicing for actual services performed and documented per contract requirements.

Contract Termination: These Agreements contain both the County Fiscal Considerations clause, allowing cancellation due to lack of funding, and the standard Termination clause that includes the ability to terminate in whole or in part upon seven (7) calendar days written notice, without cause.

Retroactive Term: These amendments are contingent upon the FY 2010-11 NNA Agreement with the State. The NNA Agreement 035-162-P-R2010 (10-NNA09) providing funding for these Counseling Agreements was approved by the Board on May 25, 2010, via Board Item 10-0465; however, the fully executed NNA Agreement was not received from the State until Monday, November 1, 2010, at which time the Department immediately scheduled these Amendments to be brought to the Board for approval.

Reason for Recommendation: Approval of these Amendments will allow local providers to continue providing substance abuse counseling, testing, and treatment services.

Action to be taken following Board approval:

- 1) Chair to sign three (3) original Amendments 1 to each of the following Agreements: 042-110-P-E2010; 087-110-P-E2010; 097-110-P-E2010 and 123-110-P-E2010.
- 2) Board Clerk's Office to return two (2) signed Amendments for each of the above-noted Agreements to Department.
- 3) Department to distribute documents as appropriate.

Contact: Kathy Lang

Concurrences: County Counsel & Risk Management