



## Legislation Details (With Text)

**File #:** 23-1757      **Version:** 1

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

**File created:** 9/12/2023      **In control:** Board of Supervisors

**On agenda:** 12/5/2023      **Final action:** 12/5/2023

**Title:** Health and Human Services Agency (HHSA) recommending the Board:  
1) Make findings that the provision of as-needed nursing staffing services provided by Maxim Healthcare Services Holdings, Inc. are in the public's best interest and that there are specialty skills, qualifications, and equipment not expressly identified in County classifications involved in the performance of the work in accordance with El Dorado County Ordinance Code, Chapter 3.13.030(B);  
2) Make findings in accordance with Procurement Policy C-17 Section 3.4(2f) exempting the competitive bidding process, with Purchasing Agent concurrence, because "the procurement is for services where the continuity of providers will provide efficiency or critical knowledge, and other providers of the services cannot provide similar efficiencies or critical knowledge";  
3) Approve and authorize the Chair to sign Agreement for Services 7954 with Maxim Healthcare Services Holdings, Inc. doing business as Maxim Healthcare Staffing Services, Inc., in the amount of \$200,000, and for the term upon execution through December 31, 2025;  
4) Authorize the Purchasing Agent to execute amendments relating to Agreement 7954, contingent upon approval by County Counsel and Risk Management, which do not increase the maximum dollar amount or term of the Agreement; and  
5) Authorize the HHSA Director, or the HHSA Chief Assistant Director, to execute programmatic, administrative, and fiscal documents relating to Agreement 7954.

FUNDING: 50% Federal ELC Enhancing Detection Expansion awarded through the 2021 Coronavirus Response and Relief Supplemental Appropriations Act of 2021, 50% Federal American Rescue Plan Act (ARPA).

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. A - Counsel Approval 7954, 2. B - Agreement 7954, 3. C - Non-Competitive Bid Justification Form 7954, 4. D - Exhibit C, Levine Act, 5. Executed Agreement for Services #7954

Date	Ver.	Action By	Action	Result
12/5/2023	1	Board of Supervisors	Approved	Pass

Health and Human Services Agency (HHSA) recommending the Board:

- 1) Make findings that the provision of as-needed nursing staffing services provided by Maxim Healthcare Services Holdings, Inc. are in the public's best interest and that there are specialty skills, qualifications, and equipment not expressly identified in County classifications involved in the performance of the work in accordance with El Dorado County Ordinance Code, Chapter 3.13.030 (B);
- 2) Make findings in accordance with Procurement Policy C-17 Section 3.4(2f) exempting the competitive bidding process, with Purchasing Agent concurrence, because "the procurement is for services where the continuity of providers will provide efficiency or critical knowledge, and other providers of the services cannot provide similar efficiencies or critical knowledge";
- 3) Approve and authorize the Chair to sign Agreement for Services 7954 with Maxim Healthcare Services Holdings, Inc. doing business as Maxim Healthcare Staffing Services, Inc., in the amount of \$200,000, and for the term upon execution through December 31, 2025;

- 4) Authorize the Purchasing Agent to execute amendments relating to Agreement 7954, contingent upon approval by County Counsel and Risk Management, which do not increase the maximum dollar amount or term of the Agreement; and
- 5) Authorize the HHSA Director, or the HHSA Chief Assistant Director, to execute programmatic, administrative, and fiscal documents relating to Agreement 7954.

**FUNDING:** 50% Federal ELC Enhancing Detection Expansion awarded through the 2021 Coronavirus Response and Relief Supplemental Appropriations Act of 2021, 50% Federal American Rescue Plan Act (ARPA).

**DISCUSSION / BACKGROUND:**

Since the origination of the Coronavirus, HHSA's Public Health Division (PHD) has struggled with recruiting Registered Nurses (RNs) and Public Health Nurses (PHNs) for essential public health programs like vaccinations and other key areas. The continuous difficulties in recruiting suitable candidates for these specialized nursing positions has resulted in staffing shortages, significantly impeding HHSA's ability to fulfill mandated services. These staffing shortages hinder the PHD's efforts to vaccinate children, adults, and seniors against vaccine-preventable diseases, as well as the provision of essential nursing support in emergency shelters, the execution of disease surveillance and reporting as specified in California Code of Regulations (CCR) Title 17, and the Vaccine for Children (VFC) program.

Recognizing the specialized nature of securing qualified, licensed, and experienced RNs and PHNs, HHSA PHD staff performed outreach to procure a qualified contractor that could provide as-needed nursing staffing services. Maxim Healthcare Staffing Services, Inc., (Maxim Healthcare) was identified as the most dependable provider of specialized as-needed public health licensed nursing staff for both County Slopes, surpassing other providers in consistently delivering highly qualified RNs and PHNs with the specific expertise required in public health nursing.

On August 25, 2020, the Board authorized the Chair to execute Agreement 5061 with Maxim Healthcare, for a one-year term from August 25, 2020, through August 25, 2021, for the maximum obligation of \$600,000, for the purpose of addressing HHSA PHD's critical nursing staffing needs (File ID 20-1024). On October 13, 2020, Amendment I to Agreement 5061 was fully executed by the Purchasing Agent to update contract provisions, with no change to the maximum obligation or term. Subsequently, on January 26, 2021, Amendment II to Agreement 5061 was approved and executed by the Board, in which the maximum obligation was increased by \$900,000, for a new total not-to-exceed amount of \$1,500,000, and the term was extended through December 31, 2021 (File ID: 21-0031). Thereafter, on November 16, 2021, Amendment III to Agreement 5061 was approved and executed by Board, increasing the not-to-exceed amount by \$500,000, for a new maximum obligation of \$2,000,000, and extending the term through June 30, 2023 (File ID: 21-1008). Agreement 5061, inclusive of all subsequent extensions, provided HHSA PHD the means to increase the number of trained nursing staff available to provide crucial services, especially during the pandemic.

Throughout the duration of Agreement 5061, Maxim Healthcare consistently demonstrated its capability to provide on-site non-hospital staffing for both the County's Western Slope and South Lake Tahoe locations. Staffing shortages in HHSA PHD's Communicable Disease program have continued to be a significant problem, especially in the nursing field post-COVID-19. The nursing position for the VFC program has been vacant for over 15 months and HHSA PHD has experienced multiple failed nursing recruitments. Consequently, HHSA PHD has determined that entering into a new agreement with Maxim Healthcare is needed to continue the provision of qualified nursing staff for these services.

HHSA recommends the Board approve Agreement 7954 with Maxim Healthcare to enable this Contractor to continue providing reliable staffing services to meet HHSA PHD's nursing demands. This agreement includes the provision of staff for various tasks such as screening, testing, triage, investigation, contact tracing, vaccinations, and other services related to communicable diseases. Additionally, Maxim Healthcare will provide support for nursing services at emergency shelters as required by the County.

In accordance with Board of Supervisors Procurement Policy C-17, HHSA recommends, with Purchasing Agent concurrence, that competitive bidding for this contract be exempted per Section 3.4 (2)(f), as the procurement is for services where the continuity of providers will provide efficiency or critical knowledge, and other providers of the services cannot provide similar efficiencies or critical knowledge. HHSA PHD has attempted to locate health care staffing agencies that could provide nursing and other health care staff on-site in the County's Western and Eastern Slopes without success and found that Maxim Healthcare was the only contractor with the capacity to provide licensed nursing staff as needed. Further, Maxim Healthcare is officially approved by the California Department of Public Health (CDPH) within the ELC Enhancing Detection Expansion (COVID-19-ELC-068) grant budget. This CDPH approval grants HHSA the flexibility to allocate funding for these positions exclusively to utilize the staffing services provided by Maxim Healthcare.

**ALTERNATIVES:**

Should the Board decline to approve this recommendation, HHSA PHD communicable disease unit would suffer staffing shortages, limiting its ability to meet the public health and safety demands.

**PRIOR BOARD ACTION:**

- 1) 08/25/2020, 20-1024, HHSA Maxim Healthcare Staffing Svcs, 5061
- 2) 01/26/2021, 21-0031, HHSA Maxim Healthcare Staffing Services, 5061 A2
- 3) 11/16/2021, 21-1008, HHSA #5061-A3 Maxim Healthcare Staffing Services, Inc.

**OTHER DEPARTMENT / AGENCY INVOLVEMENT:**

Approved by County Counsel, Human Resources, and Risk Management. The Auditor Controller has been notified per Policy B-12.

**CAO RECOMMENDATION:**

Approve as recommended.

**FINANCIAL IMPACT:**

There is no Net County Cost associated with this Agenda item. Sufficient appropriations were included in the Fiscal Year 2023-24 Budget and will be included in future budgets for the term of the Agreement.

**CLERK OF THE BOARD FOLLOW UP ACTIONS:**

Clerk of the Board to obtain signature of Chair on one (1) original Agreement for Services 7954.

**STRATEGIC PLAN COMPONENT:**

Healthy Communities

**CONTACT:**

Olivia Byron-Cooper, MPH, Director, Health and Human Services Agency

