

# MARIPOSA COUNTY

Health · 209-966-3222



## **RESOLUTION - ACTION REQUESTED 2016-173**

MEETING: April 19, 2016

TO: The Board of Supervisors

FROM: Mary Hodson, CAO

RE: Approve the First Amendment to Professional Services Agreement for Robert J. Rose, M.D.

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### **RECOMMENDATION AND JUSTIFICATION:**

Approve First Amendment to the Professional Services Agreement with Robert J. Rose, M.D. for Performing Medical Services for the Health Department Increasing the Compensation Amount by \$15,000 for a Total Not to Exceed Amount of \$25,000 and Extending the Termination Date to December 31, 2016; Authorize the Board of Supervisors Chair to sign the amendment; and Approve Budget Action Transferring Funding Within the Health Budget to Accommodate the Amendment for the Remainder of This Fiscal Year (\$5,000). The former County Health Officer resigned from county employment in October 2015, and the Health Department is required to have a Medical Doctor on staff for the operation of the Medical Clinic. The County Administrative Officer (CAO) is serving as the Interim Health Director, but does not possess the required medical license to serve as the Medical Health Officer. Dr. Robert Rose was contracted to perform the County Medical Officer duties through the CAO approved contract process, as the initial contract was for \$10,000. This contract also has a termination date of March 31, 2016.

The County recently concluded a successful recruitment for a County Health Officer, but the candidate will not be available until a military retirement is completed. In order to continue with the operation of the County's medical clinic, it is necessary to increase the compensation amount and extend the term of the contract. It is anticipated that the new County Health Officer will be employed by the County prior to December 31, 2016, but this date was selected to ensure that additional contract amendments will not be necessary and most importantly that clinic services will not be impacted. The clinic has been operating smoothly and county staff recommends continuing with Dr. Rose's services until the new County Health Officer is employed.

While to the total compensation amount is being increased by \$15,000, the requested budget action is only in the amount necessary (\$5,000) to fund the contract through the remainder of this fiscal year. The additional \$10,000 will be budgeted in the Fiscal Year 2016-17 Budget. Salary savings from the vacant County Health Officer position

is being requested to offset the increase in the Contract amount for this fiscal year.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

The original Professional Services Agreement with Dr. Rose was approved through the CAO contract approval process due to the dollar amount.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Do not approve the Amendment to Professional Services Agreement. The Board will need to direct staff to identify another qualified medical doctor to oversee the Health Clinic operations.

**FINANCIAL IMPACT:**

Salary savings from the vacant Health Officer position is requested to be used to offset the increase in the contract amount for the remainder of this fiscal year. There is no impact to the General Fund.

**ATTACHMENTS:**

PSA- Amendment Form for Robert Rose, M.D. (DOC)

Budget Action Form for Robert Rose, M.D. (PDF)

Professional Services Agreement for Robert Rose, M.D. (PDF)

**CAO RECOMMENDATION**

Requested Action Recommended

  
\_\_\_\_\_  
Mary Hodson, CAO 4/12/2016

**RESULT:** ADOPTED BY CONSENT VOTE [UNANIMOUS]

**MOVER:** Rosemarie Smallcombe, District I Supervisor

**SECONDER:** Merlin Jones, District II Supervisor

**AYES:** Smallcombe, Jones, Long, Cann, Carrier

**FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT**

**THIS FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT** is made and entered into this 1<sup>st</sup> day of April, 2016, by and between the County of Mariposa, a political subdivision of the State of California, hereinafter referred to as "**County**" and Robert J. Rose, M.D., hereinafter referred to as "**Contractor**".

**WHEREAS**, the **County** and **Contractor** have heretofore entered into an Agreement dated October 29, 2015, wherein **Contractor** agreed to provide medical services as described on Exhibit "A" of the Professional Services Agreement; and


**WHEREAS**, **County** and **Contractor** desire to amend said Agreement to change the compensation and term of agreement to be provided to **Contractor**.

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

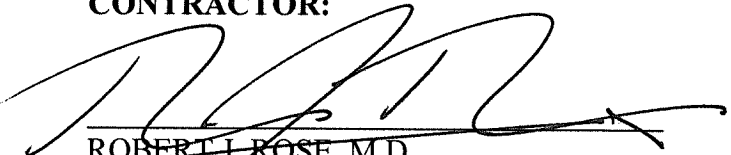
1. Paragraph 1.01, "Term of Agreement", is hereby amended extending the termination date to December 31, 2016.
2. Paragraph 4.01, "Compensation", is hereby amended increasing the compensation by Fifteen Thousand Dollars (\$15,000) making the total compensation paid to **Contractor** not to exceed the amount of Twenty-Five Thousand Dollars (\$25,000). **Contractor** further acknowledges that all amounts for the tasks completed to date have been fully paid by **County**.
3. Except as herein amended, the agreement dated October 29, 2015 shall remain in full force and effect. Professional Services Agreement attached.

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


**COUNTY OF MARIPOSA:**

  
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 JOHN CARRIER, Chairman  
 Mariposa County Board of Supervisors

**CONTRACTOR:**

  
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 ROBERT J. ROSE, M.D.

**ATTEST:**

  
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 RENÉ LAROCHE  
 Clerk of the Board

**APPROVED AS TO FORM:**

  
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 STEVEN W. DAHLEM  
 County Counsel