

A RESOLUTION

24-668

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 1, 2022

To declare the existence of an emergency with respect to the need to approve Contract No. NFPHC-NSD-21-C-00027 Modifications 8 and 9 between the Not-for-Profit Hospital Corporation, commonly known as United Medical Center, and Maxim Healthcare Staffing Services, Inc. to provide nurse staffing services for the emergency department, intensive care unit, and telemetry services, and to authorize payment for the services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Contract No. NFPHC-NSD-21-C-00027 Modifications 8 and 9 between the Not-for-Profit Hospital Corporation and Maxim Healthcare Staffing Services, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2022”.

Sec. 2. (a) There exists an immediate need to approve Contract No. NFPHC-NSD-21-C-00027 Modifications 8 and 9 (“Contract”) between the Not-for-Profit Hospital Corporation (“Hospital”) and Maxim Healthcare Staffing Services, Inc. to provide nurse staffing services for the emergency department, intensive care unit, and telemetry services and to authorize payment for the services received and to be received under the Contract.

(b) On June 29, 2021, the Council approved the base year of the Contract, which had a total value of \$3.5 million and a 12-month period from December 10, 2020, to December 9, 2021.

(c) The Hospital was unable to secure alternate nurse staffing services before the base year ended. To avoid disruption during the holiday period, the parties partially exercised option year one. Modification No. 5 had a value of \$143,835.62 for the period December 10, 2021, through December 24, 2021.

(d) The Hospital further extended the Contract when viable alternatives could not be identified. Modification No. 6 was in the amount of \$1,726,027.40 for the period December 25, 2021, through June 22, 2022. The Council approved Modification Nos. 5 and 6 on May 3, 2022. Modification No. 7 was in the amount of \$1.5 million for the period June 22, 2022, through September 30, 2022, and was approved by the Council on June 28, 2022.

(e) Proposed Modification No. 8 is for \$890,000 for the period June 23, 2022, through September 30, 2022, and proposed Modification No. 9 is for \$2 million for the period October 1,

**ENROLLED ORIGINAL**

2022, through December 9, 2022. Both modifications are retroactive due to the additional time needed to try and negotiate less costly alternatives.

(f) Council approval is necessary because proposed Modification Nos. 8 and 9 have an aggregate value that exceeds \$1 million in a 12-month period.

(g) Without Council approval, Maxim Healthcare Staffing Services, Inc. cannot be paid for these critical services provided and to be provided in excess of \$1 million.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that Contract No. NFPHC-NSD-21-C-00027 Modifications 8 and 9 between the Not-for-Profit Hospital Corporation and Maxim Healthcare Staffing Services, Inc. Approval and Payment Authorization Emergency Act of 2022 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.