

**AMENDMENT NO. 3
RFP NO. 604962-18
INMATE HEALTH CARE SERVICES FOR
CLARK COUNTY DETENTION CENTER**

THIS AMENDMENT is made and entered into this ____ day of _____ 2023, by and between CLARK COUNTY, NEVADA (hereinafter referred to as "COUNTY"), and WELLPATH, LLC (hereinafter referred to as "PROVIDER").

WITNESSETH:

WHEREAS, the parties entered into an agreement under RFP Number 604962-18, entitled Inmate Health Care Services for Clark County Detention Center dated May 7, 2019 (hereinafter referred to as CONTRACT); and

WHEREAS, the parties desire to amend the CONTRACT.

NOW, THEREFORE, the parties agree to amend the CONTRACT as follows:

1. Replace Exhibit A, Scope of Work, Attachment 1– Compensation, revised per Amendment No. 2 in its entirety, with the attached hereto. See summary of changes below:

Exhibit A – Attachment 1 – Compensation’, the individual Average Daily Population (“ADP”) caps will be combined to a single value of 3,700 to cover both Detention Services Division facilities: the Clark County Detention Center (“CCDC”) and the North Valley Complex (“NVC”), effective January 1, 2023. The per diem fee for the ADP exceeding the revised 3,700 total will remain at \$3.06/per person/per day.

2. Add the following paragraph to Section II: Compensation and Terms of Payment, Letter A. Compensation:

PROVIDER shall receive a one-time payment of \$231,323 to account for the impact of extraordinary inflation on labor costs. The one-time payment amount is not subject to future annual renewal amount calculations and will be paid immediately upon Amendment approval.

3. Replace Exhibit A, Scope of Work, Attachment 2 – Staffing Plan, revised per Amendment No. 1 in its entirety with the attached hereto.
4. Add Exhibit A, Scope of Work, Attachment 3 – Sample Staffing Report, attached hereto.

5. Exhibit A, Scope of Work, Section VII Staffing, Letter H. Adjustment for Understaffing, page A-16.

ORIGINALLY WRITTEN:

In the event that the PROVIDER leaves any position listed in the staffing plan vacant (unstaffed) for two (2) weeks or more in any thirty (30) day period, the PROVIDER agrees to pay COUNTY liquidated damages in the amount of the actual compensation cost of the vacant position. A staffing position shall be deemed filled when PROVIDER is paying a like-kind employee and/or other trained and licensed personnel utilized from a staffing agency or PRN pool to fill the position. Compensation will be calculated using the hourly rate of the position (including benefits) multiplied by the number of hours in excess of the two (2) week period that the position is not filled by the PROVIDER. The PROVIDER will provide a report for unstaffed hours to the ADMINISTRATOR by the 20th day of each month.

REVISED TO READ:

PROVIDER will provide a staffing report every four (4) weeks to COUNTY that details Productive Hours (staff on duty at assigned post) versus Contracted Hours (per the non-exempt FTE requirements as shown in 'Exhibit A, Scope of Work – Attachment 2 – Staffing Plan' and any subsequently approved amendments) to identify vacancies. A staffing position shall be deemed filled when PROVIDER is paying a like-kind employee and/or other trained and licensed personnel utilized from a staffing agency or PRN pool to fill the position. PROVIDER agrees to reimburse COUNTY for "Qualified Resultant Vacant Hours" ("QRVH") for those positions under the Medical Services, Dental Services, Mental Health Services, or Pharmacy sections of the 'Exhibit A, Scope of Work – Attachment 2 – Staffing Plan'.

Reimbursement for the month's QRVH will be calculated using the budgeted hourly rate of the position (including prorated benefits) multiplied by the difference between the number of "Contracted Hours" and "Productive Hours" plus 80 hours on each monthly staffing report per role.

PROVIDER will provide the budgeted hourly wage and benefit rates for individual position classifications as listed in 'Exhibit A, Scope of Work – Attachment 2 – Staffing Plan' to COUNTY by July 1st of each year this CONTRACT is in effect. The positions, Contracted Hours, and Productive Hours, applicable to the QRVH calculation are illustrated on the sample staffing report contained in the new 'Exhibit A, Scope of Work – Attachment 3 – Sample Staffing Report.' Any compensation due COUNTY will be applied as a credit against a future scheduled payment to PROVIDER.

Equation for Reference: Hourly Rate (inclusive of prorated benefits) x (times) The Difference = Contracted Hours - (minus) Productive Hours (total hours worked + 80 hours per 4-week period, per role) = (equals) QRVH

This Amendment No. 3 represents an increase of \$231,323

Except as expressly amended herein, the terms and conditions of the CONTRACT shall remain in full force and effect.

COUNTY:
COUNTY OF CLARK, NEVADA

PROVIDER:
WELLPATH, LLC

By: _____
JESSICA COLVIN
Chief Financial Officer

DocuSigned by:
By: *Justin Searle*

JUSTIN SEARLE
President Local Government

APPROVED AS TO FORM:
STEVEN B. WOLFSON, District Attorney

By: *Jason Patchett for Elizabeth Vibert*
Jason Patchett for Elizabeth Vibert (Jun 21, 2023 13:42 PDT)
ELIZABETH VIBERT
Deputy District Attorney

RFP 604962-18
 Exhibit A
 Attachment 1 - Compensation
 Inmate Health Care Services for Clark County Detention Center
 Revised per Amendment No. 3

Fixed Cost/Full Risk Contract	CAP	CCDC	CAP	NVC
Average Daily Population (ADP assumption)		3,200		500

I. Contract amounts

Initial Contract period 7/1/2019 to 6/30/2022	Annual Increase	Annual Amounts
Year 1: 7/1/2019 to 6/30/2020		\$23,859,049.00
Year 2: 7/1/2020 to 6/30/2021	+1.5%	\$24,699,734.09
Year 3: 7/1/2021 to 6/30/2022	+4.5%	\$25,181,668.00
		\$73,740,451.09

II. Per diem fee exceeding caps	CCDC	NVC
ADP exceeding above thresholds	\$3.06	\$3.06
Per person / Per day amount		

Fixed Cost/Full Risk Contract	
Average Daily Population (ADP assumption)	3,700

Annual Renewals		
Renewal 1: 7/1/2022 to 6/30/2023	+3%	\$25,937,118.00
Renewal 2: 7/1/2023 to 6/30/2024	+3%	\$26,715,232.00
Total contract amount should all renewal options be utilized		\$126,392,801.09

II. Per diem fee exceeding caps	CCDC & NVC
ADP exceeding above thresholds	\$3.06
Per person / Per day amount	

III. Out of Scope

1. Costs of off-site medical care related to pre-existing conditions and any other exclusions as mandated by Nevada statute NRS 211.140 are not responsibility of PROVIDER.
2. All other costs are included under the cost of this contract, except inpatient care that isn't related to a pre-existing condition.

RFP 604962-18					
Exhibit A					
Attachment 2 - Staffing Plan					
Inmate Health Care Services for Clark County Detention Center					
Revised per Amendment No. 3					
Clark County, NV (Adult Facilities)					
	CCDC	NVC < 500	NVC 501-649	NVC 650-825	NVC ≥ 826
Administration (EXEMPT)	6.00	1.00	2.00	2.00	2.00
Health Services Administrator (RN)	1.00	-	-	-	-
Assistant Health Services Administrator (RN)- NVC	-	1.00	1.00	1.00	1.00
Director of Nursing (RN)	1.00	-	-	-	-
Administration Assistant	3.00	-	1.00	1.00	1.00
Discharge Planner (MHP)	1.00	-	-	-	-
Mental Health Coordinator	1.00	-	-	-	-
Support Staff (EXEMPT)	5.00	-	-	-	-
Medical Records Clerk	4.00	-	-	-	-
Supply Manager	1.00	-	-	-	-
Medical Services	96.35	14.60	19.10	19.10	19.10
Medical Director (MD/DO)	1.00	-	-	-	-
Staff Physician (MD/DO)	1.00	-	0.30	0.30	0.30
Intake NP/PA	4.20	-	-	-	-
Intake RN	16.00	-	-	-	-
Intake LPN	4.20	-	-	-	-
Intake EMT	8.40	-	-	-	-
Sick Call NP/PA	1.35	1.00	1.00	1.00	1.00
Sick Call RN	2.10	-	-	-	-
Sick Call LPN	3.60	-	-	-	-
RN Supervisor- CCDC	8.40	-	-	-	-
Infirmery Charge Nurse	4.20	-	-	-	-
LPN-CCDC	35.70	-	-	-	-
RN Supervisor- NVC	-	4.20	4.20	4.20	4.20
LPN-NVC	-	8.40	12.60	12.60	12.60
Medical Assistant- CCDC	2.00	-	-	-	-
Medical Assistant- NVC	-	1.00	1.00	1.00	1.00
Certified Nursing Assistant (CCDC)	4.20	-	-	-	-
Dental Services	2.00	-	-	-	-
Dental Director (DMD)	1.00	-	-	-	-
Dental Assistant	1.00	-	-	-	-
Mental Health Services	21.40	0.20	1.45	1.45	1.65
Staff Psychiatrist (MD/DO)	2.00	-	0.05	0.05	0.05
Psychiatric NP/PA	2.00	0.20	0.40	0.40	0.40
Psychiatric RN	8.40	-	1.00	1.00	1.00
Mental Health Professionals (County Requested)	9.00	-	-	-	0.20
Pharmacy	2.80	-	-	-	-
Pharmacy Technician	2.80	-	-	-	-
Total FTES	133.55	15.8	22.55	22.55	22.75

RFP 604962-18
Exhibit A
Attachment 3 - Sample Staffing Report
Inmate Health Care Services for Clark County Detention Center

Sample Staffing Report - Position Level (Hours)

Sites: 0501, 0502

Position	Contract Totals			Productive Hours					Non-Productive Hours					Total	
	Actual Hours	Contracted Hours	Variance	Regular	Overtime Hourly	Overtime Salary	Holiday Worked	Total Productive	Vacation, Sick, & PTO	Holiday	Training	Other	Total Non-Productive	Paid Hours	Fully Loaded Pay Rate
Administrative Assistant*	830.650	800.000	30.650	652.450	14.700	0.000	0.000	667.150	119.500	40.000	0.000	4.000	163.500	830.650	\$ 21.24
Assistant Health Services Administrator, RN, BSN*	203.040	200.000	3.040	107.040	0.000	0.000	0.000	107.040	88.000	8.000	0.000	0.000	96.000	203.040	\$ 56.29
Certified Nursing Assistant (CCDC)	900.560	840.000	60.560	673.240	63.160	0.000	11.150	747.550	100.160	28.000	0.000	36.000	164.160	900.560	\$ 21.83
Dental Assistant	212.720	200.000	12.720	193.820	7.900	0.000	0.000	201.720	0.000	8.000	0.000	3.000	11.000	212.720	\$ 20.65
Dental Director (DMD)	302.370	200.000	102.370	180.750	0.000	0.000	0.000	180.750	83.620	32.000	0.000	6.000	121.620	302.370	\$ 163.55
Director of Nursing (RN)*	209.490	200.000	9.490	201.490	0.000	0.000	5.900	207.390	0.000	8.000	0.000	0.000	8.000	209.490	\$ 54.75
Discharge Planner (MHP)*	200.000	200.000	0.000	148.320	0.680	0.000	0.000	149.000	51.000	0.000	0.000	0.000	51.000	200.000	\$ 39.06
Health Services Administrator (RN)*	214.250	200.000	14.250	126.250	0.000	0.000	6.100	132.350	72.000	16.000	0.000	0.000	88.000	214.250	\$ 64.66
Infirmiry Charge Nurse	1,491.790	840.000	651.790	1,154.670	164.010	0.000	57.070	1,375.750	36.000	48.000	0.000	89.110	173.110	1,491.790	\$ 48.14
Intake EMT	1,941.160	1,680.000	261.160	1,545.760	159.900	0.000	56.570	1,762.230	168.500	64.000	0.000	3.000	235.500	1,941.160	\$ 23.13
Intake LPN	840.000	840.000	0.000	694.310	53.690	0.000	0.000	748.000	72.000	20.000	0.000	0.000	92.000	840.000	\$ 31.62
Intake NP/PA	840.000	840.000	0.000	765.130	10.870	0.000	31.950	807.950	48.000	16.000	0.000	0.000	64.000	840.000	\$ 79.06
Intake RN	4,454.420	3,200.000	1,254.420	3,370.050	326.370	0.000	147.690	3,844.110	533.000	220.000	0.000	5.000	758.000	4,454.420	\$ 46.14
LPN CCDC	8,082.480	7,140.000	942.480	5,666.980	1,359.680	0.000	208.580	7,235.240	724.440	269.500	0.000	61.880	1,055.820	8,082.480	\$ 31.62
LPN NVC	2,520.000	2,520.000	0.000	2,085.600	242.100	0.000	66.240	2,393.940	152.300	40.000	0.000	0.000	192.300	2,520.000	\$ 31.62
Medical Assistant CCDC	655.330	400.000	255.330	577.880	48.450	0.000	10.280	636.610	13.000	16.000	0.000	0.000	29.000	655.330	\$ 18.41
Medical Assistant NVC	202.300	200.000	2.300	170.180	0.120	0.000	0.000	170.300	8.000	8.000	0.000	16.000	32.000	202.300	\$ 18.41
Medical Director (MD/DO)	200.000	200.000	0.000	190.000	0.000	0.000	0.000	190.000	10.000	0.000	0.000	0.000	10.000	200.000	\$ 166.14
Medical Records Clerk*	835.130	800.000	35.130	553.000	12.130	0.000	0.000	565.130	238.000	32.000	0.000	0.000	270.000	835.130	\$ 18.64
Mental Health Coordinator*	200.000	200.000	0.000	197.000	0.000	0.000	0.000	197.000	0.000	3.000	0.000	0.000	3.000	200.000	\$ 52.27
Mental Health Professionals (County Requested)	2,292.470	1,800.000	492.470	1,929.350	50.320	0.000	57.460	2,037.130	214.800	88.000	0.000	10.000	312.800	2,292.470	\$ 47.32
Pharmacy Technician	690.030	560.000	130.030	515.750	74.310	0.000	20.500	610.560	83.970	16.000	0.000	0.000	99.970	690.030	\$ 23.25
Psychiatric NP/PA	480.000	480.000	0.000	448.470	3.030	0.000	13.370	464.870	0.000	8.000	0.000	20.500	28.500	480.000	\$ 79.06
Psychiatric RN	1,906.180	1,880.000	26.180	1,593.700	78.480	0.000	43.700	1,715.880	144.000	64.000	0.000	26.000	234.000	1,906.180	\$ 46.14
RN Supervisor CCDC	1,680.000	1,680.000	0.000	1,274.850	126.800	0.000	42.730	1,444.380	235.350	43.000	0.000	0.000	278.350	1,680.000	\$ 48.14
RN Supervisor NVC	908.160	840.000	68.160	661.380	76.710	0.000	12.940	751.030	146.070	24.000	0.000	0.000	170.070	908.160	\$ 48.14
Sick Call LPN	759.530	720.000	39.530	569.030	43.870	0.000	0.000	612.900	66.000	24.000	0.000	56.630	146.630	759.530	\$ 31.62
Sick Call NP/PA	941.780	470.000	471.780	774.030	19.500	0.000	19.140	812.670	110.250	38.000	0.000	0.000	148.250	941.780	\$ 88.97
Sick Call RN	1,172.710	420.000	752.710	801.410	143.030	0.000	12.350	956.790	192.270	36.000	0.000	0.000	228.270	1,172.710	\$ 46.14
Staff Physician (MD/DO)	430.510	260.000	170.510	344.510	0.000	0.000	0.000	344.510	62.000	22.000	0.000	2.000	86.000	430.510	\$ 146.08
Staff Psychiatrist (MD/DO)	427.920	410.000	17.920	371.920	0.000	0.000	0.000	371.920	40.000	16.000	0.000	0.000	56.000	427.920	\$ 246.74
Supply Manager*	212.810	200.000	12.810	180.430	0.380	0.000	0.000	180.810	24.000	8.000	0.000	0.000	32.000	212.810	\$ 20.77
Grand Total	37,237.790	31,420.000	5,817.790	28,718.750	3,080.190	0.000	823.720	32,622.660	3,836.230	1,263.500	0.000	339.120	5,438.850	37,237.790	

* = Exempt from QRVH staffing credit calculation