

RESOLUTION NO. 2017-_____

**RESOLUTION OF NAPA COUNTY, STATE OF CALIFORNIA, AUTHORIZING THE
TERMINATION OF ALL COUNTY CONTRACTS WITH STERICYCLE**

WHEREAS, on or about March 1, 2010, Napa County entered into Agreement number AUD 6307 and subsequently Agreement No. 7956 on behalf of the Health and Human Services Agency with Stericycle, an agreement that has been amended multiple times and is now known as Agreement number 170389B for biomedical waste pick-up at Public Health; and

WHEREAS, on or about August 23, 2010, Napa County entered into Agreement number AUD 6353 and subsequently Agreement No. 8114 on behalf of the Health and Human Services Agency with Stericycle, an agreement that is now known as Agreement number 170340B for biomedical waste pick-up at Mental Health; and

WHEREAS, on or about August 1, 2014, Napa County's Public Works Department entered into a purchasing agreement with Stericycle on behalf of the Animal Shelter; and

WHEREAS, the vendor for all three above agreements, Stericycle, was sued by multiple government entities in a Qui Tam action for overbilling practices and this lawsuit was settled for approximately \$28,500,000 in 2016; and

WHEREAS, the State of California participated in the Qui Tam lawsuit, and directed pro rata shares of the settlement to affected jurisdictions, including Napa County; and

WHEREAS, Stericycle continues to overcharge on at least Agreement number 170389B and Stericycle has refused to participate in meaningful communications to reconcile any overbilling; and

WHEREAS, Napa County does not believe that Stericycle is able or willing to provide accurate billing information or reconcile billing discrepancies and staff seeks Board approval to notify Stericycle that all three agreements are terminated immediately; and

WHEREAS, all three current agreements with Stericycle have a termination clause that requires Napa County to pay half of the contract monthly fee multiplied by the number of months remaining in the contract in order to terminate the agreements.

NOW, THEREFORE, BE IT RESOLVED that the Napa County Board of Supervisors directs County staff to terminate all three contracts, pay the amount remaining on the contracts and execute new contracts with a vendor that can provide the required services.

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THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED
by the Napa County Board of Supervisors, State of California, at a regular meeting of said Board
held on the 12th day of September, 2017, by the following vote:

AYES: SUPERVISORS

NOES: SUPERVISORS

ABSTAIN: SUPERVISORS

ABSENT: SUPERVISORS

NAPA COUNTY, a political subdivision of
the State of California

By: _____
BELIA RAMOS, Chair of the Board of
Supervisors

<p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: <u>_Dylan Roy_</u> Deputy County Counsel</p> <p>Date: August 8, 2017 _____</p>	<p>APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS</p> <p>Date: _____</p> <p>Processed By: _____ Deputy Clerk of the Board</p>	<p>ATTEST: GLADYS I. COIL Clerk of the Board of Supervisors</p> <p>By: _____</p>
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