

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A SEVENTH AMENDMENT TO THE AGREEMENT WITH ADVANCED DATA PROCESSING, INC. FOR EMERGENCY MEDICAL TRANSPORT BILLING AND COLLECTION SERVICES AND THE PROVISION OF THIRD PARTY ePCR SOFTWARE PROGRAM SERVICES FOR A ONE YEAR TERM; APPROVING AND AUTHORIZING APPROPRIATE CITY OFFICIALS TO EXECUTE A MASTER SUBSCRIPTION AND LICENSE AGREEMENT AND LICENSE AGREEMENT WITH ESO SOLUTIONS, INC. AND THE REQUIRED BUSINESS ASSOCIATE AGREEMENT IN CONNECTION WITH THE SERVICES TO BE PROVIDED BY ADVANCED DATA PROCESSING, INC.

WHEREAS, on December 31, 2006, the Contractor, Advanced Data Processing, Inc. ("ADP" or the "Contractor") and the City entered into an agreement ("Agreement") for the Contractor to provide ambulance billing and related professional services; and

WHEREAS, on December 19, 2007, the City Commission passed and adopted Resolution No. 2007-434, which authorized the execution of an amendment to the Agreement in order to renew the Agreement and amend Section 4.03 to provide for the Contractor to handle accounts for ambulance services commenced before January 1, 2007; and

WHEREAS, on December 3, 2008, the City Commission passed and adopted Resolution No. R-2008-371, which authorized the execution of a second amendment to the Agreement in order to renew the Agreement and amend Section 4.03; and

WHEREAS, on February 14, 2012, the City Commission passed and adopted Resolution No. R-2012-045, which authorized the execution of a third amendment to the agreement in order to renew the agreement, receive the Contractor's TripTix system including the provision of upgraded/new tablet PCs to enter medical records and data to interact with the main billing and medical records system, and amended Schedule 2.01 relating to rates of Compensation and Collection Efforts; and

WHEREAS, on December 17, 2014, the City Commission passed and adopted Resolution No. R-2014-373 authorizing the execution of a fourth amendment to the Agreement for a three year term; and

WHEREAS, on October 5, 2016, the City Commission passed and adopted Resolution No R-2016-293 authorizing the execution of a fifth amendment to the Agreement to provide for contingency fees to be paid associated with the respective successful implementation and generation of incremental Medicaid revenues as a result of the CPE for Emergency Medical Services and Medicaid Managed Care Supplemental Payment Programs; and

WHEREAS, on November 15, 2017, the City Commission passed and adopted Resolution No. 2017-341 authorizing the execution of a sixth amendment to the Agreement to renew the Agreement for a three year term and authorizing the appropriate City officials to execute a Business Associate Agreement in connection with the services to be provided; and

WHEREAS, the current agreement will expire on December 31, 2020, and the parties desire to amend the term of the agreement to be effective July 1, 2020 and expiring on December 31, 2021, as more specifically set forth in the attached seventh amendment to the agreement, and to have the contractor provide electronic patient care reporting hardware along with third party provider software provided by ESO Solutions, Inc.; and

WHEREAS, the Health Insurance Portability and Accountability Act of 1996 (“HIPPA”) requires that a Business Associate Agreement be executed between the City and the Contractor to ensure that the Contractor appropriately safeguards protected health information as the Agreement between the City and Contractor involves the Contractor providing services that may involve health information.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are incorporated into this Resolution.

Section 2: That it approves and authorizes the execution, by the appropriate City officials, of the attached Seventh Amendment to the Agreement between Advanced Data Processing, Inc. and the City, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 3: That it approves and authorizes the execution, by the appropriate City officials, of the attached Master Subscription and License Agreement between ESO Solutions, Inc. and the City, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

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Section 4: That it approves and authorizes the execution, by the appropriate City officials, of the attached Business Associate Agreement between ESO Solutions, Inc. and the City, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 5: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2020.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY For the use and reliance of the City of Hollywood, Florida, only.

DOUGLAS R. GONZALES
CITY ATTORNEY