

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY  
AND RECORD OF ACTION**

March 15, 2022

**FROM**

**WILLIAM L. GILBERT, Director, Arrowhead Regional Medical Center**

**SUBJECT**

Approve Agreements to Provide Professional Ancillary Consultancy Services for the Areas of Environmental Services, Nutrition Services, Medical Imaging and Clinical Laboratory Services

**RECOMMENDATIONS**

1. Approve aggregate **Contracts** with the following vendors on an as-needed, fee-for-service basis for consultation services for Arrowhead Regional Medical Center in the total not-to-exceed aggregate amount of \$5,000,000 for the five-year period of March 15, 2022 through March 14, 2027:
  - a. ECG Management Consultants, Inc. – Medical Imaging & Clinical Laboratory Consulting Services. **Contract No. 22-204.**
  - b. Donald C. Miller Associates, Inc. – Environmental/Nutrition Consulting Services. **Contract No. 22-205.**
  - c. Ruck-Shockey Associates, Inc. – Environmental/Nutrition Consulting Services. **Contract No. 22-206.**
2. Designate the Director of Arrowhead Regional Medical Center as the authorized official to approve and sign Statements of Work under the terms of the contracts, subject to review by County Counsel, so long as the collective aggregate Statements of Work do not exceed \$5,000,000 and do not extend the term of the contracts.
3. Direct the Director of Arrowhead Regional Medical Center to transmit copies of all Statements of Work in relation to the contracts to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: William L. Gilbert, Director, 580-6150)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Provide for the Safety, Health and Social Service Needs of County Residents.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost) as the total aggregate cost of \$5,000,000 is funded by State Medi-Cal, Federal Medicare, private insurances, and other departmental revenue. Sufficient appropriation and revenue are included in the Arrowhead Regional Medical Center (ARMC) 2021-22 budget and will be included in future recommended budgets.

**BACKGROUND INFORMATION**

Approval of the agreements will allow ARMC to contract with professional service firms to provide professional consultancy services for the areas of Environmental Services, Nutrition Services, Medical Imaging and Clinical Laboratory Services. ARMC's support and professional

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services occasionally require external consulting services due to changes in regulatory requirements. At such times, consultants are used to facilitate process improvement, implement new best practices, and introduce more efficient technology using industry-leading change management principles. With value-based services becoming the new norm in healthcare, ARMC continues to align itself with a structure that will allow for quality services at appropriate costs. ARMC will use the expertise of these vendors to enhance the current delivery system to the citizens of San Bernardino County through the analysis of current structures and the implementation of best demonstrated practices.

The specific projects will be defined by Statements of Work, which will detail the services to be provided, the deliverables, and the amount of fees to be paid, subject to the terms and conditions of the underlying contracts. Approval of Recommendation No. 2 will authorize the Director of ARMC to approve and execute the Statements of Work, subject to review by County Counsel, so long as they do not exceed \$5,000,000 in aggregate or extend the term of the contracts.

The contracts with Donald C. Miller Associates, Inc. (“Donald Miller”) and Ruck-Shockey Associates, Inc. (“Ruck-Shockey”) contain all of the standard County contract terms. The contract with ECG Management Consultants, Inc. (“ECG”) is also based on the standard County contract, but contains the following non-standard contract terms:

1. Except for claims based on indemnification, gross negligence, fraud, willful misconduct, and violations of law, ECG limits its liability for damages to greater of \$3,000,000 or ten times the total amount paid for its services. ECG also limits its liability for any punitive, incidental, or consequential damages.
  - The County standard contract does not contain any limitation of liability of the contractor.
  - Potential Impact: Claims against ECG could exceed the liability cap, leaving the County financially liable for the excess.
2. ECG limits its indemnification obligation under the Business Associate Agreement to \$3,000,000.
  - The County standard contract does not contain any monetary limitation on a contractor’s indemnification obligation of the County.
  - Potential Impact: Claims involving a breach of unsecured protected health information could exceed the liability cap, leaving the County financially liable for the excess.

ARMC recommends approval of the contracts with these vendors, including the non-standard terms, as it is to the County’s benefit to facilitate process improvements and implement best practices at the hospital.

**PROCUREMENT**

Request for Qualifications (RFQ) No. ARMC121-ARMC-4047 for Professional Consultancy Services was approved by the County Administrative Office on November 30, 2020. The intent of the RFQ was to provide professional consultancy services for the areas of Environmental Services, Nutrition Services, Medical Imaging and Clinical Laboratory Services. The RFQ was released through the County’s Electronic Procurement (ePro) network on December 21, 2020 and proposals were due from vendors on January 28, 2021.

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Evaluation of the proposals was completed by a committee comprised of representatives from ARMC Hospital Administration, Environmental Services, Nutrition Services, Clinical Services, and Fiscal Administration. All proposals were evaluated based on qualifications and experience, finance review, cost, references, and technical review. The evaluation committee determined, based on the depth of knowledge and familiarity with the proposal requirements, that all proposers met the needs of ARMC. ECG, Donald Miller, and Ruck-Shockey were recommended for a contract in their specific area(s) of their expertise.

On May 5, 2021, tentative award letters were sent to ECG, Donald Miller, and Ruck-Shockey Associates. No protests were received.

The company names and locations are provided below.

<b>Proposer</b>	<b>Location</b>
ECG Management Consultants, Inc.	San Diego, CA
Donald C. Miller & Associates, Inc.	Chula Vista, CA
Ruck-Shockey Associates, Inc.	Truckee, CA

ECG is an industry leader in the Medical Imaging & Clinical Laboratory Services fields, offering specialized expertise to hospitals, health systems, medical groups, academic medical centers, children’s hospitals, ambulatory surgery centers, and healthcare payers. As an independent affiliate, ECG collaborates with Siemens Healthineers’ global Enterprise Services business, providing subject matter expertise, smart counsel, and pragmatic solutions. With a staff of approximately 220 consultants and ten offices nationwide, ECG specializes in providing consulting assistance exclusively to healthcare providers since 1973. ECG is a majority-owned subsidiary of Siemens Healthineers, a multibillion-dollar company traded on the Frankfurt Exchange.

Donald Miller has been supporting the diverse needs of healthcare food services since 1988 and environmental services since 2009. The highly experienced team of more than 35 nationally recognized leaders provide their clients with the full range of skills, insight and expertise required to deliver transformational services. Donald Miller is committed to significantly improving the patient experience by enhancing the culture and service of the healthcare community through innovative training and education. They provide webinars, conferences and hold Zoom discussions for healthcare food service, clinical nutrition, and environmental service executives, operators, managers and their teams who share the common goal of wanting to become the “Best of the Best.” These educational opportunities provide leadership training, business and professional development, and the latest industry updates.

Ruck-Shockey is a foodservice & hospitality consulting firm established in 1997. Ruck-Shockey utilizes technological advancements, efficient processes and comprehensive implementation programs to achieve bottom line results. They are dedicated to providing the linking insights into what is available in new systems, strategic plans, new technology and implementation of future improvements in client operation. Ruck-Shockey’s team of Environmental Service Consultants have led transformations in single as well as multi-site operations across the country, with a focus on labor baseline development, cleaning times and frequencies, and best practice discussions on “who cleans what” for the most effective productivity standards. Its Food and Nutrition consultants have implemented award winning enhanced meal programs to single sites and multi-site operations. Their team brings an objective view to client operations,

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identifying operational, culinary, quality and facility improvements and making recommendations based on their extensive knowledge of the food and hospitality industry and best practices.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Charles Phan, Deputy County Counsel, 387-5455) on February 10, 2022; Purchasing Department (Ariel Gill, Buyer, 777-0722) on March 18, 2022; ARMC Finance (Chen Wu, Finance and Budget Officer, 580-3165) on February 23, 2022; and County Finance and Administration (Diana Atkeson, Deputy Executive Officer, 387-5423) on February 25, 2022.

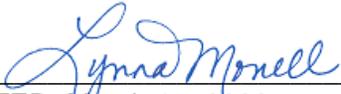
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Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

Moved: Janice Rutherford Seconded: Joe Baca, Jr.  
Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY  \_\_\_\_\_  
DATED: March 15, 2022



cc: ARMC- Gilbert w/agree  
Contractor- C/O ARMC w/agree  
File- w/agree  
LA 03/21/2022