

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

July 28, 2020

FROM

GARY McBRIDE, Chief Executive Officer, County Administrative Office

SUBJECT

Ratification Actions in Response to the Novel Coronavirus Pandemic

RECOMMENDATION(S)

Ratify the Chief Executive Officer's exercise of the authority granted to him by the Board of Supervisors initially on March 24, 2020 (Item No. 67), and extended on May 19, 2020 (Item No. 105) and June 23, 2020 (Item No. 124), in approving the following actions in response to the worldwide health threat related to the Novel Coronavirus, or COVID-19:

1. Approve the substitution of fixed assets to allow for the purchase of unbudgeted fixed assets for two message boards to relay messages to the public on closures and other impacts as a result of COVID-19, at an estimated cost of \$42,000, approved by the Chief Executive Officer on June 17, 2020.
2. Approve Department of Risk Management's **Amendment No. 3 to Contract No. 18-777** with Dawg, Inc. doing business as The Best IRS, to extend the current contract by one year, for the new term of March 20, 2018 through June 30, 2021, for the continued provision of Workers' Compensation Claims Adjusters for the Department of Risk Management, with no change to the estimated aggregated cost not to exceed \$350,000, with all other terms and conditions remaining the same, approved by the Chief Executive Officer on June 30, 2020.
3. Approve **Amendment No. 1 to Contract No. 20-611** (4400012610) with Guadalupe Medina dba Santa Fe Building Maintenance to increase the contract by an amount not to exceed \$80,000, for as needed unforeseen expenses resulting from the COVID-19 pandemic, increasing the total contract amount from \$561,600 to a total not to exceed \$641,600, on the premises known as Lot 1, located at 303 West Third Street in San Bernardino, with no change to the original contract term, signed by the Chief Executive Officer on July 15, 2020.
4. Approve **Amendment No. 1 to Contract No. 19-117** with RNA of Ann Arbor Incorporated dba RNA Facilities Management to increase the contract by an amount not to exceed \$80,000, for as needed unforeseen expenses resulting from the COVID-19 pandemic, increasing the total contract amount from \$500,400 to a total not to exceed \$580,400, on the premises known as Lot 1, located at 268 W. Hospitality Lane in San Bernardino, signed by the Chief Executive Officer on July 15, 2020.
5. Direct the County Administrative Office to transmit all executed documents relating to the recommendations above to the Clerk of the Board within 30 days of execution.

(Presenter: Gary McBride, Chief Executive Officer, 387-5417)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Promote the Countywide Vision.

Create, Maintain and Grow Jobs and Economic Value in the County.

Improve County Government Operations.

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**Operate in a Fiscally-Responsible and Business-Like Manner.
Provide for the Safety, Health and Social Service Needs of County Residents.
Pursue County Goals and Objectives by Working with Other Agencies.**

FINANCIAL IMPACT

Approval of the recommendations will not result in the use of additional Discretionary General Funding (Net County Cost). Sufficient appropriation, if necessary, as detailed below, will be included in the respective department's future recommended budgets.

Recommendation No. 1

Approval of this recommendation will not result in the use of Discretionary General Funding (Net County Cost). The cost of these message boards are a COVID-19 expense and therefore eligible for the County to use Federal Coronavirus Aid, Relief and Economic Security (CARES) Act Coronavirus Relief Funds if no other COVID-19 related federal or state funding is available.

Recommendation No. 2

Approval of the recommendation will not result in the use of additional Discretionary General Funding (Net County Cost). The estimated cost for workers' compensation claim adjusters' services for 2020-21 is approximately \$157,000, and will be funded through the Department of Risk Management's (DRM) operating fund (4120), which will be reimbursed by workers' compensation self-insurance funds. Sufficient appropriation is available in the DRM 2020-21 budget.

Recommendation No. 3

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). This amendment will increase the contract amount by \$80,000 for a total amount not to exceed \$641,600, for as needed unforeseen expenses. The not to exceed \$80,000 cost of this amendment resulting from the COVID-19 pandemic is eligible for and will require the County to use federal CARES Act Coronavirus Relief Funds if no other COVID-19 related federal or state funding is available.

Recommendation No. 4

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). This amendment will increase the contract amount by \$80,000 for a total amount not to exceed \$580,400, for as needed unforeseen expenses. The not to exceed \$80,000 cost of this amendment resulting from the COVID-19 pandemic is eligible for and will require the County to use federal CARES Act Coronavirus Relief Funds if no other COVID-19 related federal or state funding is available.

BACKGROUND INFORMATION

The COVID-19 virus originated in Wuhan, China in late 2019 and began spreading, initially, within China and then to other countries. On January 30, 2020, the World Health Organization declared the outbreak to be a "public health emergency of international concern". This was followed on January 31, 2020 by the United States Human Services Secretary declaring a public health emergency. Cases internationally, within the US and within California (as evidenced by the Governor's Proclamation) continue to rise.

On March 4, 2020, the State of California declared a state of emergency as a result of the COVID-19 outbreak due to the rising number of confirmed cases and anticipated complications for those infected, including potential deaths. On March 10, 2020, the County Public Health Officer declared a local health emergency to help ensure county government and the public

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were prepared for the possibility that COVID-19 will appear within the county. On March 10, 2020 (Item No. 75), the Board proclaimed the existence of a local emergency within San Bernardino County resulting from COVID-19, which causes infectious disease resulting in symptoms of fever, coughing and shortness of breath with outcomes ranging from mild to severe illness and in some cases, death.

In order to promote a coordinated and efficient response to needs that may arise from the COVID-19 pandemic, on March 24, 2020 (Item No. 67), the Board authorized the CEO to execute or approve various actions related to purchases, contracts, donations, budget, including the approval of adoption of resolutions, through May 31, 2020, subject to ratification by the Board at the next available Board meeting. Due to the continued threat of COVID-19, on May 19, 2020 (Item No. 105) and later on June 23, 2020 (Item No. 124), the Board extended this authority of the CEO through June 30, 2020, and July 31, 2020, respectively subject to ratification by the Board at the next available Board meeting. The recommended actions will ratify the authority exercised by the CEO.

Recommendation No. 1

Special Districts determined a critical need exists to purchase two message boards. The message boards will allow Special Districts to relay messages to the public throughout the County regarding closures and other impacts as a result of COVID-19. County Counsel has reviewed the request and it was approved by the CEO on June 17, 2020.

Recommendation No. 2

Beginning in 2018, personnel changes in the DRM resulted in several Workers' Compensation Adjuster II vacancies, and created an immediate need for temporary help to assist with workload requirements. Temporary Workers' Compensation Adjusters have been procured through DAWG, Inc. dba The Best IRS to ensure the daily processing of workers' compensation claims.

Approval of Amendment No. 3 will extend the contract term for a period of one year, allowing Dawg, Inc. dba The Best IRS, to provide uninterrupted temporary workers' compensation adjuster's services to DRM, under the same contract terms and conditions. Prior to the COVID-19 pandemic, the DRM was actively recruiting for two Workers' Compensation Adjuster positions, however, finding well-qualified candidates with public agency experience has been challenging. Recruitment efforts were suspended following the COVID-19 pandemic declaration.

Recently, the DRM was made aware of two Workers' Compensation Adjusters requesting extended leaves of absences, which will create additional burdens to an already short staffed division. While the DRM has reinitiated recruitment efforts, extending the contract term by an additional year provides the opportunity to recruit and hire well-qualified individuals to fill the current vacancies. County Counsel has reviewed the Amendment and it was signed by the CEO on June 30, 2020.

Recommendations No. 3

Real Estate Services Department – Facilities Management (FM) is responsible for providing custodial services for County-owned and some leased facilities. On September 10, 2019, the Purchasing Department approved a contract with Guadalupe Medina dba Santa Fe Building Maintenance, to provide custodial services in one building located in San Bernardino for the period of September 25, 2019 through September 24, 2022, in an amount not to exceed \$561,600. The location identified as Lot 1 is: District Attorney – 303 West Third Street, San Bernardino (County-owned). The Department recommends approval of Amendment No. 1 to Contract No. 4400012610 with Guadalupe Medina dba Santa Fe Building Maintenance, in order

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to provide continued custodial services through the COVID-19 pandemic. County Counsel has reviewed the Amendment, and it was signed by the CEO on July 15, 2020.

Recommendation No. 4

Real Estate Services Department – Facilities Management (FM) is responsible for providing custodial services for County-owned and some leased facilities. On March 12, 2019 (Item No. 45), the Board approved a contract with RNA of Ann Arbor Incorporated dba RNA Facilities Management, to provide custodial services in one building located in San Bernardino for the period of April 1, 2019 through March 31, 2022, in an amount not to exceed \$500,400. The location identified as Lot 1 is: Auditor-Controller-Tax Collector – 268 W. Hospitality Lane, San Bernardino (Leased). The Department recommends approval of Amendment No. 1 to Contract No. 19-117 with RNA of Ann Arbor Incorporated dba RNA Facilities Management, in order to provide continued custodial services through the current pandemic. County Counsel has reviewed the Amendment, and it was signed by the CEO on July 15, 2020.

PROCUREMENT

Procurement is applicable to Recommendation No. 1, relating to the Special Districts procurement of two message boards due to the emergency proclaimed by the Board on March 10, 2020 (Item No. 75). In 2018, a competitive procurement was conducted by Public Works (PWG119-OPERA-3010) and Allied Traffic and Equipment Rentals was awarded a three-year contract. An updated quote was obtained from this vendor for the one-time purchase of the message boards.

Procurement is applicable to Recommendation No. 2, relating to Contract No. 18-777 with Dawg, Inc. doing business as The Best IRS. On March 20, 2018, the Purchasing Agent authorized the issuance of Contract No. 18-777 in the amount of \$100,000 with Dawg, Inc. dba The Best IRS, with a term of March 20, 2018 through March 19, 2019.

On October 16, 2018 (Item No. 46), the Board of Supervisors (Board) approved Amendment No. 1 to Contract No. 18-777 with Dawg, Inc. dba The Best IRS, increasing the contract amount by \$100,000 for a total not to exceed amount of \$200,000, and extending the contract term from March 20, 2018 through June 30, 2019.

On June 11, 2019 (Item No. 69), the Board approved Amendment No. 2 to Contract No. 18-777 with Dawg, Inc. dba The Best IRS, increasing the total contract amount by \$150,000 for a total not to exceed the amount of \$350,000, extending the term of the contract from June 30, 2019 through June 30, 2020, and adding Attachment A to allow for temporary to hire terms and fees. All other terms and conditions of the contract remained the same.

Procurement is applicable to Recommendation No. 3, relating to Contract No. 4400012610 with Guadalupe Medina dba Santa Fe Building Maintenance. This contract, with its term from September 25, 2019 through September 24, 2022, was the result of a competitive procurement based on Guadalupe Medina dba Santa Fe Building Maintenance being the lowest responsive and responsible bidder. Per County Policy 11-04, competitive and non-competitive purchase of services where the annual aggregate cost, per scope of services, per vendor, per agency, department or Board-governed Special District does not exceed \$200,000 may be approved by the Purchasing Agent. This contract was previously approved under the Purchasing Agent's authority per County Policy 11-04, however, with Amendment No. 1, the annual cost of the contract exceeds the Purchasing Agent's authority and requires Board of Supervisor's approval. The Department is not able to prepare a Request for Bid, conduct mandatory job-walks or obtain contractor bids for service at the current time due to the COVID-19 pandemic.

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Procurement is applicable to Recommendation No. 4, relating to Contract No. 19-117 with RNA of Ann Arbor Incorporated dba RNA Facilities Management. This contract, with its term from April 1, 2019 through March 31, 2022 was the result of a competitive procurement based on RNA of Ann Arbor Incorporated dba RNA Facilities Management, being the lowest responsive and responsible bidder. The Department is not able to prepare a Request for Bid, conduct mandatory job-walks or obtain contractor bids for service at the current time due to the COVID-19 pandemic.

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REVIEW BY OTHERS

This item has been reviewed by County Counsel (Michelle Blakemore, County Counsel, 387-5455; Teresa McGowan, Principal Assistant County Counsel, 387-5283; Katherine Hardy, Deputy County Counsel, 387-5455 and Dawn Martin, Deputy County Counsel, 387-5455) on July 20, 2020; Purchasing Department (Leo Gomez, Purchasing Manager, 387-2063; Bruce Cole, Supervising Buyer, 387-2148 and Bill Brock, Buyer II, 387-2464) on July 14, 2020; Finance (Stephenie Shea, Administrative Analyst, 387-4919; Wen Mai, Principal Administrative Analyst, 387-4020; Kathleen Gonzalez, Administrative Analyst, 387-5412; Joon Cho, Administrative Analyst, 387-5402; and Tom Forster, Administrative Analyst, 386-4635) on July 20, 2020; and Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on July 17, 2020.

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Record of Action of the Board of Supervisors
County of San Bernardino

APPROVED (CONSENT CALENDAR)

Moved: Josie Gonzales Seconded: Robert A. Lovingood
Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: July 28, 2020



cc: Risk- Williams
Contractor- C/O Risk w/agree
RESD/FMD- Norris
Contractor- C/O RESD/FMD w/agree
File- w/agree
File- Emergency Covid-19
la 07/30/2020