

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

June 13, 2023

FROM

JACQUELYN GREENE, Director, Preschool Services Department

SUBJECT

Contract with Loma Linda University, Department of Occupational Therapy for Occupational Therapy Services

RECOMMENDATION(S)

Approve **Contract No. 23-524** with Loma Linda University, Department of Occupational Therapy, including non-standard terms, to provide occupational therapy services in the amount of \$274,000, for the period of July 1, 2023 through June 30, 2026.

(Presenter: Jacquelyn Greene, Director, 383-2005)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

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

FINANCIAL IMPACT

This item has no impact on Discretionary General Funding (Net County Cost). The contract amount of \$274,000 for occupational therapy services is funded by the Mental Health Services Act through an existing Memorandum of Understanding (MOU) with the Department of Behavioral Health. Adequate appropriation and revenue will be included in the Preschool Services Department's (PSD) 2023-24 recommended budget and future recommended budgets.

BACKGROUND INFORMATION

PSD operates the Early Head Start, Early Head Start-Child Care Partnership, Head Start, State General Child Care and Development, and State Preschool programs. These programs provide education, health, nutrition, cognitive, social/emotional, physical growth and development, and parent involvement services for children ages 0 to 5 with the overall goal of increasing family engagement and the school readiness of young children in economically disadvantaged families.

On June 8, 2021 (Item No. 51), the Board of Supervisors (Board) approved non-financial MOU No. 21-449 with Loma Linda University, Department of Occupational Therapy (LLU) to participate in a research study with the Head Start Home Visitation program, effective June 9, 2021 through June 30, 2022. The study explored the role of occupational therapy practitioners in the home visitation program(s) promoting inclusion for children 0 - 3 years of age who have experienced adversity. Through this study, PSD obtained knowledge regarding the impact of adverse childhood experiences and the benefits of occupational therapy training.

The recommended contract will allow PSD to implement occupational therapy training to PSD staff, service providers and parents, and provide occupational therapy services to children ages

**Contract with Loma Linda University, Department of Occupational
Therapy for Occupational Therapy Services
June 13, 2023**

0 – 5, based on lessons learned from the research study. It is anticipated that the trained team will provide occupational therapy services to approximately 3,220 PSD enrolled children throughout the county.

The contract with LLU, as negotiated, includes the following term that differs from the standard County insurance language:

1. The Contract contains mutual indemnification clauses.
 - The County standard contract does not include any indemnification or defense by the County of a contractor.
 - Potential Impact: By agreeing to indemnify LLU, the County could be contractually waiving the protection of sovereign immunity. Claims that may otherwise be barred against the County, time limited, or expense limited could be brought against LLU without such limitations and the County would be responsible to defend and reimburse LLU for costs, expenses, and damage.
2. The contract does not require LLU to meet all of the County's insurance standards as required pursuant to County Policy 11-07.
 - The County Policy requires contractors to carry appropriate insurance at limits and under conditions determined by the County's Risk Management Department and set forth in the County standard contract.
 - Potential Impact: The contract does not include County standard insurance requirements. The County contract includes a two million dollar aggregate limit for general liability and a separate two million dollar aggregate for abuse/molestation claims. LLU proposed to have abuse/molestation included under the general liability policy which could result in expenses to the County if a liability were to exceed those amounts.

PSD recommends approval of this item, including non-standard terms, to formalize a partnership between PSD and LLU, to provide necessary occupational therapy services to PSD children and families.

LLU performance will be monitored by review of monthly reports to ensure compliance with the administrative, fiscal, and program requirements of the contract. LLU will cooperate with the County in the monitoring and evaluation of this contract and comply with all established reporting requirements. The contract may be terminated without cause by the County with 30 days written notice.

PROCUREMENT

Per County Policy 11-05, contracts that contain certain non-standard contract language must be approved by the Board. LLU is the only vendor able and qualified to provide the training and therapy to implement lessons learned in the Head Start Home Visitation program research study. Purchasing supports the non-competitive sole source nature of this recommended contract with LLU.

**Contract with Loma Linda University, Department of Occupational
Therapy for Occupational Therapy Services
June 13, 2023**

REVIEW BY OTHERS

This item has been reviewed by Human Services Contracts (Patty Steven, Contracts Manager, 388-0241) on April 25, 2023; County Counsel (Adam Ebright, Deputy County Counsel, 387-5455) on April 23, 2023; Purchasing (Bruce Cole, Supervising Buyer, 387-2148) on May 18, 2023; Risk Management (Victor Tordesillas, Director, 387-8623) on May 1, 2023; Finance (Paul Garcia, Administrative Analyst, 386-8392) on May 24, 2023; and County Finance and Administration (Cheryl Adams, Deputy Executive Officer, 388-0238) on May 25, 2023.

**Contract with Loma Linda University, Department of Occupational
Therapy for Occupational Therapy Services
June 13, 2023**

Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: June 13, 2023



cc: PSD - Gitonga w/ agree
Contractor c/o PSD w/ agree
File w/ agree

JLL 06/28/2023