

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

June 8, 2021

FROM

ANDREW GOLDFRACH, Interim Director, Department of Public Health

SUBJECT

Amendment to Contract with Fulgent Genetics for Purchase and Distribution of SARS-CoV-2 Test Kits, COVID-19 Picture Test Kits, Collection of Used Kits and Processing of Samples

RECOMMENDATION(S)

Approve **Amendment No. 6**, effective June 8, 2021, to **Contract No. 20-607** with Fulgent Genetics for purchase and distribution of additional SARS-CoV-2 test kits, COVID-19 Picture test kits, collection of used kits, and processing of samples in a certified laboratory, with no change to the total contract amount not to exceed \$72,677,500, extending the contract period for an additional six months, for a total contract period of July 21, 2020 through December 31, 2021.

(Presenter: Andrew Goldfrach, Interim Director, 387-9146)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

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 this item, with no change to contract amount, will not result in the use of Discretionary General Funding (Net County Cost). The cost of test kits is eligible for reimbursement through the Federal Coronavirus Aid, Relief and Economic Security (CARES) Act funding, if available, which has been extended through December 31, 2021. In addition, the Department of Public Health (DPH) anticipates receiving additional funding through the Coronavirus Response and Relief Supplemental Appropriations Act that was passed on December 27, 2020; providing more than \$22 billion to State and local governments to support testing, contract tracing, vaccination, surveillance, containment, and mitigation to monitor and suppress the spread of COVID-19. The County also receives credit invoices from Fulgent Genetics for all cost they are able to recover from insurance billing. As of May 10, 2021, the County has received a credit of \$35,175,910 from insurance reimbursement. This credit will continue to be utilized before any other newly allocated funds.

BACKGROUND INFORMATION

The recommended amendment with Fulgent Genetics will extend the existing contract for an additional six months, allowing for continued purchase and processing of Fulgent SARS-CoV-2 test kits and COVID-19 Picture (at-home) test kits, with no change to the current contract total. These test kits will continue to be supplied to the various testing sites throughout the County, and will provide results within 48 hours from receipt and acceptance of the specimen by Fulgent laboratories.

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The COVID-19 pandemic has spread rapidly across California. Since the outbreak began, 296,782 San Bernardino County (County) residents have tested positive for the coronavirus as of May 12, 2021. Although the County has experienced decreasing demand for testing due to the continual decrease in COVID-19 cases, and increased vaccinations, there is still a need for these test kits and testing sites throughout the county. Fulgent testing kits will continue to help support the County's testing efforts through 2021.

Extension of the contract will continue to aid in reaching the most vulnerable populations that do not have access or the ability to visit a stationary testing location; the business community and city partners; and to prevent turning away anyone so that all county residents have the opportunity to be tested. With the increase of vaccinations, the number of weekly tests have continued to decrease in the County since the week of January 1, 2021.

PROCUREMENT

On August 11, 2020 (Item No. 21), the Board of Supervisors (Board) ratified Contract No. 20-607 with Fulgent Genetics for purchase and distribution of SARS-CoV-2 test kits, collection of used kits and processing of samples in a certified laboratory, in an amount not to exceed \$3,900,000, effective July 21, 2020 through January 31, 2021. The contract was initially approved and executed by the Chief Executive Officer, under delegation of authority, on July 21, 2020.

In addition on August 11, 2020 (Item No. 35), the Board approved Amendment No. 1, effective August 11, 2020, to Contract No. 20-607 with Fulgent Genetics for the purchase and distribution of additional SARS-CoV-2 test kits, collection of used kits, and processing of samples in a certified laboratory, increasing the total by \$6,100,000, from \$3,900,000 to a total not to exceed \$10,000,000, with no change to the total contract period of July 21, 2020 through January 31, 2021.

On October 27, 2020 (Item No. 64), the Board approved Amendment No. 2, effective October 27, 2020, to Contract No. 20-607 with Fulgent Genetics for purchase and distribution of additional SARS-CoV-2 test kits, collection of used kits, processing of samples in a certified laboratory, and adding COVID-19 Picture test kits, increasing the total by \$17,277,500, from \$10,000,000 to a total not to exceed \$27,277,500, with no change to the contract period of July 21, 2020 through January 31, 2021.

On December 8, 2020 (Item No. 30), the Board approved Amendment No. 3, effective December 8, 2020, to Contract No. 20-607 with Fulgent Genetics for purchase and distribution of additional SARS-CoV-2 test kits, COVID-19 Picture test kits, collection of used kits, and processing of samples in a certified laboratory, increasing the total by \$18,950,000, from \$27,277,500 to a total not to exceed \$46,227,500, with no change to the contract period of July 21, 2020 through January 31, 2021.

On December 15, 2020 (Item No. 56) the Board approved Amendment No. 4, effective December 15, 2020, to Contract No. 20-607 with Fulgent Genetics for purchase and distribution of additional SARS-CoV-2 test kits, COVID-19 Picture test kits, collection of used kits, and processing of samples in a certified laboratory, increasing the total by \$5,975,000, from \$46,227,500 to a total not to exceed \$52,202,500, with no change to the contract period of July 21, 2020 through January 31, 2021.

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On January 26, 2021 (Item No. 42) the Board approved Amendment No. 5, effective February 1, 2021, to Contract No. 20-607 with Fulgent Genetics for purchase and distribution of additional SARS-CoV-2 test kits, COVID-19 Picture test kits, collection of used kits, and processing of samples in a certified laboratory, increasing the total by \$20,475,000, from \$52,202,500 to a total not to exceed \$72,677,500, and extending the contract period for an additional six months, for a total contract period of July 21, 2020 through June 30, 2021.

REVIEW BY OTHERS

This item has been reviewed by Human Services Contracts (Jennifer Mulhall-Daudel, Contracts Manager, 388-0241) on May 14, 2021; County Counsel (Adam Ebright, Deputy County Counsel, 387-5455) on May 18, 2021; Finance (Paul Garcia, Administrative Analyst, 386-8392) on May 14, 2021; and County Finance and Administration (Tanya Bratton, Deputy Executive Officer, 388-0332) on May 20, 2021.

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

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: June 8, 2021



cc: PH- Shin w/agree
Contractor- PH w/agree
File- w/agree

LA 06/14/2021