



San Bernardino County

Legislation Text

File #: 2893, Agenda Item #: 75

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

September 15, 2020

FROM

GARY McBRIDE, Chief Executive Officer, County Administrative Office

SUBJECT

Amendment to Contract with Westbound Communications for COVID-19 Countywide Communication Strategies

RECOMMENDATION(S)

1. CONTINUED FROM TUESDAY, AUGUST 25, 2020, ITEM NO. 20: Approve Amendment No. 2 to Contract 20-621 with Westbound Communications to continue to provide countywide communication strategies related to COVID-19, increasing the contract amount by \$246,475 from \$449,000 to the not-to-exceed amount of \$695,475, with no change to the contract term ending December 31, 2020.
2. ALTERNATIVE 1: Approve Amendment No. 2A to Contract 20-621 with Westbound Communications to specifically provide only outreach efforts for COVID-19 testing, increasing the contract amount by \$91,817 from \$449,000 to the not-to-exceed amount of \$540,817, with no change to the contract term ending December 31, 2020.
3. ALTERNATIVE 2: Approve Amendment No. 2B to Contract 20-621 with Westbound Communications to continue to provide countywide communication strategies related to COVID-19, increasing the contract amount by \$110,080 from \$449,000 to the not-to-exceed amount of \$559,080, with no change to the contract term ending December 31, 2020.

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

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

Operate in a Fiscally-Responsible and Business-Like Manner.

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

FINANCIAL IMPACT

Approval of either the original recommendation and approval of an alternative to the Amendment to the Westbound Communications contract will not result in the use of Discretionary General Funding (Net County Cost). The increased cost of such amendment(s) resulting from the COVID-19 pandemic is eligible for and will require 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.

BACKGROUND INFORMATION

Approval of one of the recommended amendments by the Board of Supervisors (Board) is necessary to address immediate needs of the County in dealing with the COVID-19 pandemic.

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 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.

On April 16, 2020, the Purchasing Agent signed Contract 4400014904 for Westbound Communications to provide the County with a communications strategy for COVID-19 for the period April 16, 2020 through October 16, 2020 for \$199,000. The scope of work under this contract included a proactive, clear, consistent countywide communications strategy for COVID-19 primarily related to health and safety, assisted by messaging through a communications command center, County website, social platforms, and media briefings.

On June 3, 2020, Governor Newsom issued Executive Order N-67-20 calling for many changes to the way the November 3, 2020 Presidential General Election will be conducted to ensure all voters are able to cast a ballot safely and securely during the COVID-19 pandemic. On August 11, 2020 (Item No. 21), the Board ratified Amendment No. 1 to this contract (County Contract No. 20-621) that was approved by the CEO on July 31, 2020. Amendment No. 1 added voter information communication duties to the scope of work of the original contract so that Westbound Communications could assist the Registrar of Voters with development and implementation of strategies to engage the community and inform them of the State mandated changes to how the 2020 Presidential General Election would be conducted. Amendment No. 1 extended the term of the contract from October 16, 2020, to December 31, 2020, and increased the contract amount by \$250,000 for the voter information related scope of work.

Due to the continued threat of COVID-19, the need for a COVID-19 communications strategy continues to exist. The alternative recommendations are each explained below:

RECOMMENDATION No. 1:

On August 25, 2020 (Item No. 20), Amendment No. 2 to Contract 20-621 to continue countywide COVID-19 communication strategies, including advertising strategies (outreach efforts) for COVID-19 testing, and increasing the contract amount by \$246,475, was presented to the Board for approval. The Board continued this item to the September 15, 2020 Board meeting, where it is now being presented for approval as it was originally proposed. However, it is suggested that the Board not approve this recommendation because the contractor has agreed to certain options and modified the scope and costs, which are reflected in the alternative contract amendments presented in Recommendations No. 2, and/or No. 3.

RECOMMENDATION No. 2: ALTERNATIVE 1:

This alternative contract amendment, identified as 2A, proposes only an additional scope of work to allow for outreach efforts for COVID-19 testing to educate and encourage the public to get tested so that it may assist with the re-opening of the County. These services would occur through December 31, 2020 for an additional contract cost of \$91,817. This Amendment 2A can be approved by itself or in conjunction with Recommendation No. 3: Alternative 2.

RECOMMENDATION No. 3: ALTERNATIVE 2:

This alternative contract amendment, identified as 2B, proposes to continue to provide countywide communication strategies related to COVID-19, but with no outreach efforts for COVID-19 testing. The continued countywide communication strategy services would occur through December 31, 2020 for an additional contract cost of \$110,080. This Amendment 2B can be approved by itself, or in conjunction with Recommendation No. 2: Alternative 1.

PROCUREMENT

On March 10, 2020 (Item No. 75), the County proclaimed the existence of a local emergency within San Bernardino County resulting from COVID-19. There was a need for the County to communicate COVID-19-related information, including health orders and response strategies to the public. As a result of the emergency, the County obtained the services of Westbound Communications for the original contract period of April 16, 2020 through October 16, 2020 through a non-competitive procurement. Per County Policy 11-04, the Purchasing Agent may approve competitive and non-competitive purchase of services where the annual aggregate cost, per scope of services, per vendor, per agency, does not exceed \$200,000 during a single annual period. County Purchasing recognized the COVID-19 emergency and importance of communication and response to the public, and supported the non-competitive procurement with Westbound Communications.

Amendment No. 1 to this contract was approved by the CEO on July 31, 2020 under the delegated authority granted to the CEO by the Board on July 28, 2020 (Item No. 72), where the CEO may execute all amendments to previous-approved contracts to the extent the amendments to such contracts are in excess of the Purchasing Agent authority, so long as the total contract amount does not exceed \$5 million. Amendment No. 1 increased the contract amount to \$449,000, exceeding the Purchasing Agent's authority under Policy 11-04. Under delegated authority, the CEO signed Amendment No. 1 to this contract since time was of the essence in developing the voter education scope of work. The further Amendment is being presented to the Board because the increased amended amount of the contract under any of the identified alternatives is greater than the Purchasing Agent's authority per Policy 11-04.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Penny Alexander-Kelley, Chief Assistant County Counsel, 387-4270) on September 8, 2020; Purchasing Department (Michelle Churchill, Buyer III, 387-2070) on August 3, 2020; Finance (Stephenie Shea, Administrative Analyst, 387-4919) on September 8, 2020; and Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on September 8, 2020.