



County of San Bernardino

Legislation Text

File #: 3038, Agenda Item #: 16

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

October 6, 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), June 23, 2020 (Item No. 124), July 28, 2020 (Item No. 72), August 25, 2020 (Item No. 71) and September 29, 2020 (Item No. 79), in approving the following actions in response to the worldwide health threat related to the Novel Coronavirus, or COVID-19:

1. Approve and authorize the submission of Arrowhead Regional Medical Center's grant application to the Maternal Learning & Innovation Center for the Supporting Providers and Families to Access Telehealth and Distant Care Services for Maternal Health Services for the purchase of fetal Doppler and blood pressure monitors in the amount of \$99,890, signed by the Chief Executive Officer on September 11, 2020.
2. Approve Amendment No. 4 to Contract No. 17-849 with Nelsen's Janitorial Service to extend the contact term for six additional months (February 1, 2021 through July 31, 2021) and increase the contract by \$60,666 for the continued need of custodial services resulting from the COVID-19 pandemic, increasing the total contract amount from \$432,586 to a total not to exceed \$493,252, on the premises known as Lot 2, located at 21101 Dale Evans Parkway, Apple Valley and 11951 Hesperia Road, Hesperia, signed by the Chief Executive Officer on September 16, 2020.
3. Approve Community Development and Housing Department's Agreement No. 20-879 with Ayres - Redlands, LP for the provision of rooms to build isolation capacity as a response to COVID-19, in an amount not to exceed \$1,337,144.76, effective August 28, 2020 through December 31, 2020, signed by the Chief Executive Officer on September 14, 2020.
4. 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.

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 may result in the use of additional Discretionary General Funding (Net County Cost), as detailed below. Sufficient appropriation, if necessary, as detailed below, will be included in the respective department's future recommended budgets.

Recommendation No. 1

Approval of the item does not impact Discretionary General Funding (Net County Cost) as the grant application does not require matching funds.

Recommendation No. 2

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). This amendment will extend the term of the contract for an additional six months and increase the contract amount by \$60,666, for a total amount not to exceed \$493,252. Eligible costs resulting from the COVID-19 pandemic and incurred by December 30, 2020 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. Otherwise, any costs of the Amendment, including custodial contract charges, will be reimbursed by County departments that occupy the facilities based on an average cost per square foot times the percentage of usable space each department occupies.

Recommendation No. 3

Approval of this Agreement may result in the use of additional Discretionary General Funding (Net County Cost) in the event other sources from state or federal funding are not available. However, the cost of Agreement which is 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. If any of these sources of funding are not available, through authority granted to the CEO initially on March 24, 2020 (Item No. 67), that was then extended on May 19, 2020 (Item No. 105), June 23, 2020 (Item No. 124), July 28, 2020 (Item No. 72), and August 25, 2020 (Item No. 71) due to the continued threat of COVID-19, the Board authorized the CEO to approve allocations from the mandatory contingencies or the General Purpose Reserve as allowed under the County's declaration of an emergency, subject to ratification by the Board at the next available Board meeting. Should events require the use of additional Discretionary General Funding, a future item will be submitted to the Board for approval.

The cost of the Agreement includes the provision of 107 rooms at a daily rate of \$99.18 per room per day including tax (or monthly rate of \$334,286.19 including tax).

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 were prepared for the possibility that COVID-19 would 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), July 28, 2020 (Item No. 72), August 25, 2020 (Item No. 71), and September 29, 2020 (Item No. 79), the Board extended this authority of the CEO through June 30, 2020, July 31, 2020, August 31, 2020, September 30, 2020 and October 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

The United States (U.S.) is experiencing an ongoing maternal health crisis. Maternal and infant mortality is higher within Black, Indigenous, and People of Color (BIPOC) communities, and these disparities have been exacerbated by the COVID-19 pandemic. Structural, legal, geographic, political and economic barriers to quality perinatal and postpartum care disproportionately affect BIPOC communities, rural communities, incarcerated people, people with disabilities, people with substance use disorders, people lacking access to health care due to immigration status or lack of health insurance, and people with perinatal mental health care needs during the COVID-19 pandemic.

Quality and respectful care throughout pregnancy and the postpartum period (up to one year) are critical to ensuring the health and well-being of families, communities, and populations. However, social-distancing restrictions have disrupted access to essential and wrap-around perinatal and postpartum care services across the U.S. Perinatal and postpartum birth workers, including childbirth educators, community health workers, breastfeeding support people, breastfeeding peer counselors, lactation consultants, doulas, and midwives, are critical to increasing access, accessibility and quality of maternal health care.

The University of North Carolina (UNC) received \$4,000,000 in funding from the Health Resources and Services Administration (HRSA) of the U.S. Department of Health and Human Services (HHS). UNC, through the Maternal Health Learning & Innovation Center, is providing funding opportunities of up to \$100,000 per award through the Supporting Providers and Families to Access Telehealth and Distant Care Services for Maternal Health program (Maternal Telehealth Access Project). Funding from the Maternal Telehealth Access Project is intended for organizations to strengthen their response to the COVID-19 pandemic by delivering or supporting the delivery of equitable maternal health support and services via telehealth (virtual, online, and/or other types of remote services /online). Funds can support access, development or infrastructure. These funds may be used for telehealth policy support, clinical services, social support, and tele-behavioral health services related to preconception health, prenatal care and pregnancy monitoring, labor and delivery support, and postpartum care.

If Arrowhead Regional Medical Center's (ARMC's) grant application to the Supporting Providers and Families to Access Telehealth and Distant Care Services for Maternal Health program in the amount of \$99,890 is approved, the grant funds will be used to purchase fetal Doppler and blood pressure monitors to allow for expanded telehealth options for perinatal patients at ARMC's Women's Health Clinic. The grant application requires Board of Supervisors approval under County Policy No. 05-13 because submission of the grant application is legally binding on the County. County Counsel reviewed the grant application, and under delegated authority, it was signed by the CEO on September 11, 2020.

Recommendation No. 2

FMD is responsible for providing custodial services for County-owned and some leased facilities. On November 14, 2017 (Item No. 35), the Board approved a contract with Nelsen's Janitorial Service, Inc., to provide custodial services in the two buildings located in Apple Valley and Hesperia for the period of December 1, 2017 through November 30, 2020, in an amount not to exceed \$350,280. On March 13, 2018 (Item No.

40), the Board approved Amendment No. 1 to increase the cost by \$8,820, from \$350,280 to \$359,100, in order to correct a miscalculation of the vendor's bid. On November 6, 2018 (Item No. 46), the Board approved Amendment No. 2 to increase the cost by \$3,264, from \$359,100 to \$362,364, to add custodial services. On May 15, 2020, the CEO, through delegated authority, approved Amendment No. 3 to increase the cost by \$70,222, from \$362,364 to an amount not to exceed \$432,586, for routine custodial expenses, and unforeseen expenses resulting from the COVID-19 pandemic. Under Amendment No. 3, the term of the contract was extended by two additional months, from an original termination date of November 30, 2020 to January 31, 2020. The CEO's action was ratified by the Board on June 2, 2020 (Item No. 21).

The locations identified in Lot 2 are: High Desert Juvenile Detention Center - 21101 Dale Evans Parkway, Apple Valley (County-owned); and Hesperia Department of Behavioral Health - 11951 Hesperia Road, Hesperia (County-owned). The Department recommends approval of Amendment No. 4 to Contract No. 17-849 with Nelsen's Janitorial Service, in order to provide continued custodial services through the current COVID-19 pandemic. County Counsel has reviewed the Amendment and it was signed by the CEO on September 16, 2020.

Recommendation No. 3

On May 19, 2020 (Item No. 44), the Board ratified the CEO's action to approve the Order of the County Executive Officer as Director of Emergency Services permitting the commandeering of property for temporary residences and medical facilities that was signed by the Chief Executive Officer on April 24, 2020. This was in accordance with the Governor's Executive Order N-25-20, under the authority of Article XI of the California Constitution; California Government Code Sections 8610, 8630, and 8634; and San Bernardino County Ordinance Nos. 4090 and 4091, the County initiated the Order of the Chief Executive Officer as Director of Emergency Services Permitting the Commandeering of Property for Temporary Residences and Medical Facilities (Order) to prepare the County to provide hotel/motel rooms and other places of temporary residence; medical facilities; and other facilities that are suitable for quarantining, isolating or treating individuals who test positive for COVID-19 or who have had a high-risk exposure and are thought to be in the incubation period, either through agreements, or by commandeering, if needed. On March 10, 2020 (Item No. 75), the County proclaimed the existence of a local emergency within San Bernardino County resulting from COVID-19.

Under the Government Code sections and Ordinances described above, in the event of a local emergency, the CEO, as the Director of Emergency Services is authorized to obtain equipment, supplies, and properties needed for the protection of life and property, whether through agreements, contracts or commandeering. To this date, under the delegated authority granted to him by the Board, the CEO has obtained equipment, supplies and property as a result of COVID-19 through agreements or contracts. Approval of the Agreement with Ayres - Redlands, LP will provide accommodations in an Isolation Capacity as a response to COVID-19 for first responders, healthcare personnel, county staff, and agents through December 31, 2020. County Counsel has reviewed the Agreement and it was signed by the CEO on September 14, 2020.

PROCUREMENT

Procurement is applicable to Recommendation No. 2, relating to Contract No. 17-849 with Nelsen's Janitorial Service. This contract, with its original term from December 1, 2017 through November 30, 2020 was the result of a competitive procurement based on Nelsen's Janitorial Service 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. Amendment No. 4 to Contract No. 17-849 with Nelsen's Janitorial Service will extend the term of the current contract through July 31, 2021.

REVIEW BY OTHERS

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This item has been reviewed by County Counsel (Michelle Blakemore, County Counsel, 387-5455; Charles Phan, Deputy County Counsel, 387-5455; Suzanne Bryant, Deputy County Counsel, 387-5455; and Katherine Hardy, Deputy County Counsel, 387-5455) on September 28, 2020; Finance (Stephenie Shea, Administrative Analyst, 387-4919; Jessica Trillo, Administrative Analyst, 387-4222; Yael Verduzco, Administrative Analyst, 387-5285; and Wen Mai, Principal Administrative Analyst, 387-5285) on September 28, 2020; and Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on September 28, 2020.