



San Bernardino County

Legislation Text

File #: 3265, Agenda Item #: 42

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

November 17, 2020

FROM

LEONARD X. HERNANDEZ, 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 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), September 29, 2020 (Item No. 79) and October 27, 2020 (Item No. 96), in approving the following actions in response to the worldwide health threat related to the Novel Coronavirus, or COVID-19:

1. Approve Department of Public Health's non-financial Contract No. 20-980 with Public Health Institute for the implementation of case investigation, contact tracing, COVID-19 counseling, and daily case/contact management to control and suppress SARS-CoV-2 and COVID-19, effective for a contract period of October 16, 2020 through August 31, 2021, signed by the Chief Executive Officer on October 16, 2020.
2. Approve Registrar of Voter's Business Rental Short Term Preferred Rate Agreement No. 20-981 with Enterprise Rent-A-Car, and approve Amendment No. 1 to this Agreement, which adds a cancellation clause to the Agreement, for the County's participation in the 2020 California Government Employee Rates program in the amount not to exceed \$1,500,000 for the agreement period of October 16, 2020 through February 28, 2021, both signed by the Chief Executive Officer on October 16, 2020.
3. Approve Real Estate Services Department's Amendment No. 2 to Contract No. 17-673 with Kim Gardner, Inc. dba Master Janitorial Maintenance, to extend the contract term for six additional months (February 1, 2021 through July 31, 2021), and increase the contract by \$60,660.70 to include routine custodial services of \$50,660.70, and an increase in the not to exceed amount of \$10,000 for as needed unforeseen expenses resulting from the COVID-19 pandemic, increasing the total contract amount from \$394,624.90 to a total not to exceed \$455,285.60 on the premises known as Lot 1, located at 15900 Smoketree Street in Hesperia and 4050 Phelan Rd in Phelan, signed by the Chief Executive Officer on October 19, 2020.
4. Approve Amendment No. 1 to Agreement No. 20-598 with Aviah Hospitality Inc. for the provision of rooms to build isolation capacity as a response to COVID-19, extending the term from September 28, 2020 through December 31, 2020, executed by the Chief Executive Officer on October 13, 2020.
5. Approve the purchase of unbudgeted fixed assets for three UVC Robots, at a total cost of \$315,522, to provide for additional disinfecting measures in County facilities, approved by the Chief Executive Officer on October 22, 2020.
6. 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: Leonard X. Hernandez, 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.

Ensure Development of a Well-Planned, Balanced, and Sustainable County.

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), as detailed below. Sufficient appropriation, if necessary, as detailed below, will be included in the respective department's future recommended budgets.

Recommendation No. 1

The recommended Contract is non-financial in nature and as such, does not impact Discretionary General Funding (Net County Cost).

Recommendation No. 2

Approval of this recommendation will not result in the use of Discretionary General Funding (Net County Cost). Eligible costs of the \$1,500,000 Agreement which are 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. Adequate appropriation for the Agreement and Amendment is included in the Registrar of Voters' (ROV) 2020-21 budget.

Recommendation No. 3

Approval of this recommendation 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 \$60,660.70 for a total amount not to exceed \$455,285.60. Custodial contract charges are 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. Sufficient appropriation is included in the 2020-21 Real Estate Services Department - Facilities Management (FMD) budget (7303001000) and will be included in future recommended budgets.

Recommendation No. 4

Approval of this item will not result in the use of any Discretionary General Funding (Net County Cost).

Recommendation No. 5

Approval of this recommendation will not result in the use of any Discretionary General Funding (Net County Cost). This purchase of \$315,522 was funded by the \$20 million CARES Act Spending Plan - Technology Projects, as approved by the Board on 9/29/20 (Item No. 26).

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), September 29, 2020 (Item No. 79), and October 27, 2020 (Item No. 96), the Board extended this authority of the CEO through June 30, 2020, July 31, 2020, August 31, 2020, September 30, 2020, October 31, 2020 and November 30, 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 Public Health Institute (PHI) will collaborate with the Department of Public Health (DPH) to implement case investigation, contact tracing, COVID-19 counseling, and daily case/contact management to control and suppress severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) and the coronavirus disease (COVID-19). These activities provided by PHI are conducted as phase one of the Kaiser Permanente and PHI initiative to enhance and augment state and county-led efforts to suppress COVID-19 in California. Activities involve recruitment, management support, and public health surveillance for the contact tracing support program, directed by DPH.

PHI is an independent non-profit with over 200 programs and initiatives that span the globe, dedicated to promoting health, advancing health equity, well-being and the quality of life for people around the world. PHI currently works in over 20 countries and brings a successful history and 18 years of experience working on global health fellowship and recruiting programs. PHI is engaged in research, emerging initiatives, and policy and advocacy work within the United States and abroad. County Counsel has reviewed the Contract and it was signed by the CEO on October 16, 2020.

Recommendation No. 2

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. The Executive Order requirements have been incorporated into Assembly Bill 860 (enacted June 18, 2020) and Senate Bill 423 (enacted August 6, 2020).

On July 21, 2020, Secretary of State Padilla issued health and safety guidance to counties for administering the election, including social distancing between election workers, voters, and observers in voting locations. In order to implement social distancing and other mandated changes, ROV hired 600 additional staff as supervisors, assistant supervisors in the polling places and field representatives. Staff was required to drive to and from the polling places each day, deliver polling places supplies and return voted ballots back to ROV for processing. Approval of this Agreement would allow ROV to participate in the State of California rate plan with Enterprise Rent-A-Car, while approval of the Amendment would add a cancellation clause to the Agreement.

County Counsel has reviewed the Agreement and Amendment to the Agreement, and they were signed by the CEO on October 16, 2020.

Recommendation No. 3

The Real Estate Services Department - Facilities Management (RES-D-FM) is responsible for providing custodial services for County-owned and some leased facilities. On July 25, 2017 (Item No. 44), the Board approved a contract with Kim Gardner Inc. dba Master Janitorial Maintenance, to provide custodial services in the two buildings located in Hesperia and Phelan for the period of August 1, 2017 through July 31, 2020, in an amount not to exceed \$303,964.20. On May 5, 2020 (Item No. 4), the Board approved Amendment No. 1 to increase the cost by \$90,660.70 from \$303,964.20 to \$394,624.90 for routine custodial services and as needed unforeseen expenses resulting from the COVID-19 pandemic. The locations identified in Lot 1 are: Jerry Lewis County Government Center - 15900 Smoketree Street, Hesperia (County-owned) and Phelan Sheriff's - 4050 Phelan Rd., Phelan (County-owned). The Department recommends approval of Amendment No. 2 to Contract No. 17-673 with Kim Gardner Inc. dba Master Janitorial Maintenance, in order to provide continued custodial services through the current pandemic. County Counsel has reviewed the Amendment, and it was signed by the CEO signed on October 19, 2020.

Recommendation No. 4

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. 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.

On August 11, 2020 (Item No. 21), the Board ratified Agreement No. 20-598 with Aviah Hospitality Inc. that was signed by the Chief Executive Officer on July 2, 2020, for the provision of rooms to build isolation capacity as a response to COVID-19, for the contract period of July 2, 2020 through September 28, 2020, in an amount not to exceed \$282,000. Amendment No. 1 extends the term of Agreement No. 20-598 through December 31, 2020.

Recommendation No. 5

UVC Robots navigate autonomously and disinfect premises including high-touch areas by eliminating bacteria and viruses - both airborne and droplet based - by delivering a precise dosage of UVC energy. Equipped with lasers and Passive Infrared (PIR) Motion Sensors for obstacle detection and avoidance, UVC robots maneuver through narrow corridors, elevators, and automatic doors. These devices are being purchased as test units to use in County buildings in response to the COVID-19 pandemic. County Counsel reviewed the

Delegation of Authority and it was signed by the CEO on October 22, 2020.

PROCUREMENT

Procurement is applicable to Recommendation No. 2, relating to Agreement No. 20-981 with Enterprise Rent-A-Car. ROV is participating in the 2020 California Government Employee Rates program, which offers contracted rental car rates with Enterprise-Rent-A-Car.

Procurement is applicable to Recommendation No. 3, relating to Contract No. 17-673 with Kim Gardner Inc. dba Master Janitorial Maintenance. This contract, with its original term from August 1, 2017 through July 31, 2020 was the result of a competitive procurement based on Kim Gardner Inc. dba Master Janitorial Maintenance, 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. 2 to Contract No. 17-673 with Kim Gardner Inc. dba Master Janitorial Maintenance, will extend the term of the current contract through July 31, 2021.

Procurement is applicable to Recommendation No. 5, relating to the purchase of three UVC Robots for use in County departments. Quotes from multiple vendors were solicited and different Robots were selected to test from multiple vendors. Three robots were chosen from L-CES due to the presence of an air purifier and unique autonomous technologies allowing the three robots to function together as a disinfecting fleet.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Michelle Blakemore, County Counsel, 387-5455; Adam Ebright, Deputy County Counsel, 387-5455; Robert Messinger, Principal Assistant County Counsel, 387-8979; Jolena Grider, Deputy County Counsel, 387-5455; and Katherine Hardy, Deputy County Counsel, 387-5455) on November 10, 2020; Purchasing Department (Leo Gomez, Purchasing Manager, 387-2148) on November 12, 2020; Finance (Stephenie Shea, Administrative Analyst, 387-4919; Paul Garcia, Administrative Analyst, 387-8392; Carl Lofton, Administrative Analyst, 387-5404; Kathleen Gonzalez, Administrative Analyst, 386-8393; and Elias Duenas, Administrative Analyst, 387-4052) on November 10, 2020; County Finance and Administration (Tanya Bratton, Deputy Executive Officer, 388-0332) on September 29, 2020; and Matthew Erickson, County Chief Financial Officer, 387-5423) on November 9, 2020.