



Board Agenda Item 45

DATE: June 12, 2018

TO: Board of Supervisors

SUBMITTED BY: David Pomaville, Director, Department of Public Health

SUBJECT: Agreement with Godfred L. Masinde, PhD

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute an Agreement with Godfred L. Masinde, PhD, for laboratory director services, effective July 1, 2018 through June 30, 2020 with two optional one-year extensions, total not to exceed \$383,460.

Approval of the recommended action will continue laboratory director services for the Department's Public Health Laboratory (PHL). The recommended agreement satisfies the requirement under Clinical Laboratory Improvement Amendments (CLIA), which requires an identified laboratory director and will be funded with Health Realignment and grant funds, with no Net County Cost. This item is countywide.

ALTERNATIVE ACTION(S):

There are no viable alternative actions. Should your Board not approve the recommended action, without an identified Laboratory Director, the PHL would be out of CLIA compliance, jeopardizing its certification, ceasing clinical laboratory testing which is necessary for timely response to communicable disease investigation.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The maximum compensation is \$92,400 in FY 2018-19, and \$97,020 for FYs 2019-20 through 2021-22; \$383,460 for the four-year term. The recommended agreement will be fully offset with Health Realignment and grant funds. Sufficient appropriations and estimated revenues will be included in the Department of Public Health's Org 5620 FY 2018-19 Recommended Budget and in budget requests for the duration of the term.

DISCUSSION:

Pursuant to 42 Code of Federal Regulations et seq., CLIA certification is required to conduct clinical laboratory testing in the PHL. To retain CLIA certification, the laboratory must have a designated director.

On December 8, 2016, the Department issued Request for Proposal (RFP) No. 17-042 for laboratory director services to provide consultation, evaluation and oversight of clinical high complexity laboratory and dairy testing for the PHL. The RFP closed on January 10, 2017 and only one bid proposal was received.

The Department began contractual negotiations with the qualified bidder and after months of negotiations, the bidder declined the opportunity to enter into contract with the County. At the direction of the Internal Services Department - Purchasing, the Department searched for other individuals that qualified under the

RFP requirements to fulfill laboratory director services. It was through this process that the Department identified Godfred L. Masinde, PhD, a uniquely qualified individual with extensive knowledge and experience, to perform laboratory director duties and responsibilities.

Contractual negotiations with Dr. Masinde began in May 2017, shortly before the June 30, 2017 expiration of the prior laboratory director services contract. Various setbacks did not allow the Department to bring a full-term agreement to your Board for consideration. On June 30, 2017, the County Purchasing Manager entered into a one-year Purchasing Agreement (#P-17-330-L) for \$84,000 with Dr. Masinde.

The reconstruction of the PHL due to a flood in 2016 required re-certification of the clinical operation side. In accordance with the duties and responsibilities of the laboratory director, Dr. Masinde provided extensive consultation and oversight to ensure the following:

- Clinical protocols were evaluated and revised to meet CLIA guidelines;
- Equipment was re-validated and protocols adjusted;
- Security measures were evaluated and brought up to appropriate standards; and
- Bioterrorism room was constructed to meet current Centers for Disease Control and Prevention standards

With your Board's approval, the Department will continue to utilize Dr. Masinde as the PHL Laboratory Director. The recommended agreement deviates from the standard agreement of a three-year base with two optional one-year extensions. The one-year purchasing agreement with Dr. Masinde plus the maximum term of the recommended agreement would equate to the standard three-year base with two optional one-year extensions.

REFERENCE MATERIAL:

Purchasing Agreement #P-17-330-L

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with Godfred L. Masinde, PhD

CAO ANALYST:

Sonia M. De La Rosa