



# Board Agenda Item 45

DATE: May 26, 2020

TO: Board of Supervisors

SUBMITTED BY: Robert W. Bash, Director of Internal Services Department/Chief Information Officer

SUBJECT: Declaration of Emergency Regarding Flood Incident at Fresno County University Medical Center Property

RECOMMENDED ACTION(S):

- 1. Adopt Resolution acknowledging the emergency nature of the flood incident at the Fresno County University Medical Center North Tower and ratify all agreements, contracts, and other documents that the Director of the Internal Services Department/Chief Information Officer approved and entered into for services and supplies for the remediation and restoration of the University Medical Center North Tower;**
- 2. Make a finding that it is in the best interest of the County to suspend the competitive bidding process consistent with Administrative Policy No. 34 for unusual and extraordinary circumstances for all agreements, contracts, and other documents for services, equipment, and supplies necessary for the remediation and restoration of the University Medical Center North Tower;**
- 3. Authorize the Director of Internal Services Department/Chief Information Officer to negotiate and execute agreements and other documents necessary for the remediation and restoration of the University Medical Center property, upon terms that the Director deems necessary and in the County's best interest, subject to approval as to legal form by County Counsel and as to accounting form by the Auditor-Controller/Treasurer-Tax Collector; and**
- 4. Adopt Budget Resolution increasing the FY 2019-20 appropriations and estimated revenues for the Internal Services Department - Facility Services Org 8935 in the amount of \$400,000 (4/5 vote).**

Approval of the recommended actions acknowledge the emergency nature of the flood at the University Medical Center North Tower (UMC North Tower), ratify prior undertakings related to the emergency by the Director of Internal Services Department/Chief Information Officer (Director/CIO), authorize the Director/CIO to obtain any additional necessary remediation and restoration services for the UMC North Tower, and appropriate the estimated required funds. The property is vacant; however, the flooding occurred as a result of arson, which activated the overhead sprinkler system. This item pertains to a location in District 3.

ALTERNATIVE ACTION(S):

There is no viable alternative action. Without immediate remediation and restoration services, the property would not have been remediated and restored quickly.

SUSPENSION OF COMPETITION/SOLE SOURCE CONTRACT:

The second recommended action suspends the customary competitive bidding process consistent with the “unusual or extraordinary circumstances” exception contained in Administrative Policy No. 34, due to the fact that the emergency remediation projects require an immediate response. Internal Services Department - Purchasing (ISD - Purchasing) has reviewed the request and concurs with the Department’s request to suspend the competitive bidding process.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The County carries insurance coverage that limits the out-of-pocket deductible to a range of \$5,000 to \$25,000 per claim. The appropriate deductible amount is dependent on the applicable coverage for each claim. The deductible will be paid using insurance proceeds from the Risk Management Fund-Property Insurance Program. ISD - Facility Services will be responsible for paying all upfront costs beyond the deductible directly to service vendors. Those costs would then be submitted to Human Resources - Risk Management, to process the reimbursement claim through the County’s insurance carrier. Sufficient appropriations and estimated revenues are available in the County Administrative Office - Interest and Miscellaneous Expenditures Org 2540 FY 2019-20 Adopted Budget for any unreimbursed amount. The estimated cost of the remediation is \$400,000; the anticipated deductible is \$25,000. Approval of the recommended actions will increase the FY 2019-20 appropriations and estimated revenues in the amount of \$400,000 in the ISD - Facility Services Org 8935 to cover the costs. Should additional funds be required, Department staff will return to your Board at a later date.

DISCUSSION:

The UMC Campus is located at Cedar Avenue and Kings Canyon Road. The Campus includes two six-story towers, with a four-story connecting wing, and various low-rise additions. The North Tower consists of six floors, in addition to a basement and sub-basement, and is vacant and patrolled daily by ISD - Security Services.

On April 30, 2020, ISD - Security Services staff discovered flooding coming from the UMC North Tower. Upon further investigation, staff determined the flooding, which spanned the first, second, basement, and sub-basement floors, was caused by the overhead sprinkler system in response to an event of arson on the 1st and second floors. To prevent potential further damage, a verbal emergency proclamation was made by the Director of Internal Services/Chief Information Officer on April 30, 2020, in conjunction with the County Administrative Officer/Emergency Services Director. The proclamation allowed service contractors to conduct remediation activities immediately.

Approval of the recommended actions will declare an emergency at the UMC North Tower as a result of the flooding, provide ISD - Facility Services with sufficient appropriations and allow the UMC North Tower to be remediated and restored to a safe manner as quickly and efficiently as possible.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Suspension of Competition Acquisition Request  
On file with Clerk - Resolution  
On file with Clerk - Resolution (Org 8935)

CAO ANALYST:

Sonia M. De La Rosa