



Board Agenda Item 6

DATE: August 4, 2020

TO: Board of Supervisors

SUBMITTED BY: Paul Nerland, Director of Human Resources

SUBJECT: Agreement with Pinnacle Training Systems, LLC. for COVID-19 Testing

RECOMMENDED ACTION(S):

- 1. Make a finding that it is in the best interest of the County to suspend the competitive bidding process in an emergency when goods or services are immediately necessary for the preservation of the public health, welfare, or safety, or for the protection of County property, consistent with Administrative Policy No. 34, for urgent and necessary COVID-19 testing at Fresno County Jail facilities; and**
- 2. Approve and authorize the Chairman to execute an Agreement with Pinnacle Training Systems, LLC., to replace, restate, and supersede existing Purchase Order No. P02-000020180, retroactive to that Purchase Order's effective date of July 9, 2020, and to provide urgent and necessary COVID-19 testing through December 30, 2020, total not to exceed \$2,665,600.**

There is no increase in Net County Cost associated with the recommended actions as Coronavirus Aid, Relief, and Economic Security (CARES) Act funds will be utilized to cover the costs associated with the recommended agreement. Due to the COVID-19 pandemic and the ongoing spread of COVID-19 in the Fresno County Jail facilities, the County is in need of testing services for staff working in its jail facilities. Purchase Order No. P02-000020180 was issued to Pinnacle Training Systems, LLC. (Pinnacle) to expedite the acquisition of testing services until an agreement could be presented to your Board. Approval of the recommended actions will allow Pinnacle to continue to provide necessary emergency COVID-19 testing services for County staff and contractors working in Fresno County Jail facilities. Testing services are scheduled to end on December 30, 2020 as the CARES Act currently provides that all claimable costs must be incurred by December 30, 2020. This item pertains to locations in District 3.

ALTERNATIVE ACTION(S):

There is no viable alternative actions. Should your Board choose to not approve the recommended actions, necessary COVID-19 testing will not occur in Fresno County Jail facilities.

SUSPENSION OF COMPETITION/SOLE SOURCE CONTRACT:

The Department's request to waive the competitive bidding process is consistent with Administrative Policy No. 34 and the Proclamation of Local Emergency by the Emergency Services Director on March 15, 2020, and ratified by the Board of Supervisors on March 17, 2020, resulting from the COVID-19 pandemic. Pinnacle Training Systems, LLC. provides the expertise, insurance coverages and capacity necessary to meet employee testing demands at Fresno County Jail facilities. Pinnacle was originally referred by Aims/AMC, a current vendor that is running the COVID-19 monitoring program for the County. The program

allows critical workers to stay at work while being monitored after potential COVID-19 exposures. References were verified.

RETROACTIVE AGREEMENT:

Due to negotiations, the final recommended agreement was received from Pinnacle Training Systems, LLC. on July 9, 2020. Additional time needed for processing and the urgency required to start testing prevented this agreement from beginning commensurate with the August 4, 2020 Board date.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions as the costs associated with this emergency contract are fully offset with funding from the CARES Act. The total estimated cost for FY 2020-21, from July 9, 2020 through December 30, 2020, for weekly COVID-19 testing at a cost of \$140 per test, is \$2,665,600. This estimate assumes a total of 19,040 tests conducted through December 30, 2020. Sufficient appropriations and estimated revenues will be included in the FY 2020-21 Recommended Budget for Human Resources' Org 8925 which will be presented to your Board in September 2020.

DISCUSSION:

On June 15, 2020, an outbreak of positive COVID-19 cases occurred at the Fresno County North Jail facility. Due to the congregate setting and potential for rapid transmission, the Interim County Health Officer recommended an initial round of testing over a four-week period to assess the extent of exposures and mitigate risk to inmates and staff. Ongoing testing is required to ensure the safety of all persons potentially affected, however, it is not operationally feasible to utilize current County resources for the expected testing needed for County staff and contractors working in Fresno County Jail facilities. The recommended agreement will allow for the required testing to be performed timely in order to minimize spread of the virus.

Purchase Order P02-0000020180, which is currently in effect, was established under the authority of the Proclamation of Local Emergency as ratified by the Board of Supervisors on March 17, 2020, resulting from the COVID-19 pandemic. It addresses the immediate need to assess the extent of COVID-19 exposures in Fresno County Jail facilities through COVID-19 testing procedures per the interim Health Officer's recommendation.

The recommended agreement authorizes the County to extend the agreement or modify weekly demands based on the needs of the Jail, up to the maximum contract amount. This agreement may be terminated by either party without cause upon issuance of a 10-day written notice of termination to the other party. This agreement replaces and supersedes Purchase Order No. P02-0000020180 for standard insurance requirements to apply back to July 9, 2020 as there is no current agreement with the vendor. These services will be provided through the recommended agreement beginning July 9, 2020 through December 30, 2020 as the CARES Act currently provides that all claimable costs must be incurred by December 30, 2020. As noted earlier, the agreement may be extended beyond the initial term. However, as CARES Act funding is currently available through December 30, 2020, should the need for these services continue beyond this date, options will be evaluated and presented to your Board in the future.

REFERENCE MATERIAL:

BAI #2, March 17, 2020

ATTACHMENTS INCLUDED AND/OR ON FILE:

Suspension of Competition Acquisition Request Form
On file with the Clerk - Agreement

CAO ANALYST:

Yussel Zalapa