

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
COLLEEN CHAWLA, Director



AGENDA _____ March 23, 2021

OFFICE OF THE AGENCY DIRECTOR

1000 San Leandro Boulevard, Suite 300
San Leandro, CA 94577
TEL (510) 618-3452
FAX (510) 351-1367

March 9, 2021

The Honorable Board of Supervisors
County of Alameda
1221 Oak Street
Oakland, California 94612

SUBJECT: AMEND MASTER CONTRACT NO. 901924 TO A POOL OF CONTRACTORS FOR EMERGENCY COVID-19 TESTING AND LAB PROCESSING SERVICES VENDOR POOL TO INCREASE THE TOTAL POOL AMOUNT TO \$71,000,000 (\$9,800,000 INCREASE) AND EXTEND THE TERM THROUGH 6/30/21 (3 MONTH EXTENSION)

Dear Board Members:

RECOMMENDATIONS:

- A. Approve a third amendment to Master Contract No. 901924 with vendors that will be identified through a Request for Qualification (RFQ) process for an Emergency COVID-19 Testing and Lab Processing Services Vendor Pool to provide testing services and/or COVID-19 lab processing services, and community outreach and education to Alameda County residents, extending the term of 6/10/20 – 3/31/21 through 6/30/21 (3 month extension) and increasing the total pooled amount from \$61,200,000 to \$71,000,000 (\$9,800,000 increase);
- B. Adopt a Resolution to authorize an amendment of the emergency competitive procurement process for the Emergency COVID-19 Testing and Lab Processing Services Vendor Pool to waive requirements in Administrative Code Sections 4.12.010 to .020 for the solicitation of bids for the selection of services from vendors in the Vendor Pool, due to the urgent need of providing these services to the community during the pandemic;
- C. Authorize the Agency Director, or designee, to continue to add additional qualified vendors into the Vendor Pool that respond through the RFQ process; and
- D. Delegate authority to the Agency Director, or designee, to continue to negotiate and execute Agreements and amendments under Master Contract No. 901924, subject to review and approval as to form by County Counsel, and submit executed copies to the Clerk of the Board for filing

DISCUSSION/SUMMARY:

On June 16, 2020, your Board approved Master Contract No. 901924 (File No. 30499, Item No. 1) with the Emergency COVID-19 Testing and Lab Processing Services Vendor Pool to provide testing services and/or COVID-19 lab processing services, and community outreach and education to Alameda County residents. Established to accelerate the County's efforts to meet our testing goal of 3,100 tests per day, the Vendor Pool was created for the term of 6/10/20 – 12/31/20, in a not to exceed pooled amount of \$20,000,000.

To accommodate the continuing need to increase COVID-19 testing and lab processing services in response to the pandemic, on August 4, 2020, your Board approved an amendment to the Vendor Pool (File No. 30518, Item No. 16) to increase the total pool amount to \$45,000,000 (an increase of \$25,000,000). Moreover, to help address the surge in COVID-19 cases and hospitalizations at the time, the 2nd amendment to the Vendor Pool (File No. 30553; Item No. 9.2) to increase the total pool amount to \$61,200,000 (an increase of \$16,200,000) and extend the term through 3/31/2021 (3 month extension) was approved by your Board on December 15, 2020.

As part of that action, your Board also adopted a Resolution authorizing the approval of an emergency procurement process, authorizing Health Care Services Agency (HCSA) to engage in an emergency procurement, and allowing the HCSA Director to select qualified pool vendors as needed through a RFQ process. Additionally, your Board authorized the HCSA Director to negotiate and execute Agreements and subsequent amendments as needed under the Master Contract, and to add qualified vendors to the Vendor Pool that successfully respond to the ongoing RFQ process, with no changes to the total pooled amount or the contract term.

As outlined in the June 16, 2020, August 4, 2020, and December 15, 2020 Board letters, the HCSA is committed to reporting all accepted responses to this RFQ and any pursuant Agreements to the Health Committee and the Board of Supervisors on a monthly basis.

This Master Contract will provide a pool of qualified vendors to partner with the County on the critical issue of COVID-19 testing in one or more of the following vendor categories:

1. COVID-19 Testing Vendors;
2. Community Health Centers and Primary Care Medical Clinics;
3. Hospitals seeking to provide testing in Long term Care Facilities and other congregate settings; and
4. Laboratories who are able to increase capacity of the Alameda County Public Health Laboratory for COVID-19 lab processing.

The purpose of the Vendor Pool is to increase COVID-19 testing and/or lab processing services for Alameda County residents. Each of the vendors included in the Vendor Pool provided their qualifications in response to the ongoing competitive procurement HCSA first released on June 10, 2020.

Vendors listed in Attachment A were able to demonstrate qualifications and experience as a COVID-19 testing and/or lab processing services vendor, including cultural competency and a commitment to the Medi-Cal, HealthPAC, and uninsured communities. The emergency procurement will remain open as needed throughout the duration of the Vendor Pool and Master Contract No. 901924, in order to increase the number of qualified vendors available in the Pool for contracting.

The Vendor Pool has improved the County's ability to deliver services to Alameda County residents, particularly in communities and settings most impacted by COVID-19. The Vendor Pool funds approximately 20,000 tests per week. As of February 26, 2021, the Vendor Pool has also made 38 vendors available to the HCSA for immediate contracting. A diverse portfolio of testing vendors and labs allows HCSA to be nimble and responsive to the testing needs of our diverse community.

By providing an emergency mechanism to qualify and contract with vendors, not only does the County ensure that we are able to rapidly scale up much needed testing and lab processing capacity and deploy

resources to current and future outbreak areas, it also ensures that limited vendor capacity is not lost to other health jurisdictions and counties due to long contracting processes.

As of March 4, 2021, 19 contracts and 20 amendments have been executed through the Vendor Pool for a total of \$44,096,532.04 (see Attachment B). Additionally, HCSA is in the process of executing 13 amendments for a total of \$13,225,801.32 to extend COVID-19 testing and lab services through 3/31/21.

Given the projects described above, \$57,322,333.36 of the Master Contract pooled amount has been accounted for through executed contracts and projects working towards contract execution. Therefore, only \$3,877,666.64 remains available in the Master Contract pooled amount. This remaining balance is not enough of a pooled amount to fund all of the testing and lab processing services needs currently experienced by HCSA.

HCSA requests a Vendor Pool Master Contract amendment to increase the pooled amount by an additional \$9,800,000 (see Table 1) and extend the term through 6/30/21 to accommodate ongoing testing and lab processing needs.

Table 1: \$9,800,000 Requested in Planned Services for Vendor Pool Master Contract 3rd Amendment

Category	Description	Amount
COVID-19 Testing and Lab Processing Services	COVID-19 Testing and Lab Processing Services April-June '21	\$13,600,000.00
Master Contract	Remaining Balance Unobligated Available	\$3,877,666.64
	Total Needed for Master Contract Ceiling Increase	\$9,722,333.36
	Total Requested for Master Contract Ceiling Increase (Rounded Up)	\$9,800,000.00

Funds for testing and lab processing services (\$13,600,000) will be provided by the California Department of Public Health (CDPH) Funds for the Epidemiology and Laboratory Capacity (ELC) Enhanced Detection, Response, Surveillance, and Prevention of COVID-19 supported through the Coronavirus Response and Relief Supplemental Appropriations Act of 2021, which was accepted by your Board on March 16, 2021 (Item No. 6).

These services will help HCSA:

- Address health disparities resulting from the pandemic;
- Leverage COVID-19 testing and lab processing services as a critical tool in the control of COVID-19; and
- Implement a safe reopening plan.

It is essential that HCSA continues to increase testing availability in Alameda County. Without an increase to the Master Contract pooled amount or term extension, critical COVID-19 testing and lab processing services funded by this Vendor Pool throughout Alameda County will end on 03/31/2021.

Agreements between vendors and the HCSA will continue to be executed by the HCSA Director via the authority delegated by your Board under Master Contract No. 901924, for a grand total not-to-exceed amount of \$71,000,000.

SELECTION CRITERIA/PROCESS:

On June 10, 2020, HCSA released the Request for Qualification (RFQ), RFQ No. HCSA-900320, entitled "Emergency COVID-19 Testing and Lab Processing Services Vendor Pool." This opportunity is posted on GSA's Contracting Opportunities website and was sent to subscribers of GSA's Professional Services – Current Contracting Opportunities. Additionally, the opportunity was shared with various County Departments that engage with the issue of COVID-19 testing for distribution to their own networks of providers. HCSA has conducted additional outreach since the RFQ release date, and has answered questions from vendors interested in qualifying for the Vendor Pool.

As of February 26, 2021, 38 vendors have qualified into the Vendor Pool (see Attachment A). This RFQ will remain open as needed throughout the duration of the Vendor Pool and Master Contract No. 901924; organizations whose responses meet the qualification criteria will be added to the Master Contract. Qualified vendors are eligible for Agreements from the HCSA. As described in the RFQ, acceptance into the Vendor Pool does not guarantee any minimum or maximum dollar amount or any awarded scope of services. When vendors submit incomplete bid responses, they are notified that they may submit subsequent responses for entrance into the Vendor Pool upon resolving submission issues or obtaining the requisite experience.

All accepted responses to this RFQ and any pursuant Agreements will be reported to the Health Committee and your Board on a monthly basis. The HCSA requests that your Board sign the attached Resolution to authorize the waiver of the requirements in Administrative Code Sections 4.12.010 to .020 for the solicitation of bids for the selection of services from vendors who will qualify for inclusion in the COVID-19 Testing and Lab Processing Services Vendor Pool, for the increased pooled amount for this emergency procurement due to the COVID-19 pandemic.

The SLEB requirements for this Master Contract are waived because the funding for this Master Contract will be Federal. For RFQ No. HCSA-900320, the HCSA obtained Federal Grant SLEB Waiver No. F1696-2.

FINANCING

Funding for COVID-19 testing and lab services under the Vendor Pool Master Contract (\$13,600,000) comes from ELC grant and is included in the HCSA Fiscal Year 2020-2021 Adjusted Budget. Approval of these recommendations will have no impact on Net County Cost.

VISION 2026 GOAL

Providing COVID-19 testing and lab processing services meets the 10X goal pathway of **Healthcare for All** in support of our shared visions of a **Thriving & Resilient Population**, **Safe & Livable Communities** and **Healthy Environment**.

Sincerely,

DocuSigned by:

CB284AE84C50405...
Colleen Chawla, Director
Health Care Services Agency

Attachment A - QUALIFIED VENDORS
 Emergency COVID-19 Testing and Lab Processing Services Vendor Pool
 Approved Vendors as of February 26, 2021
 Master Contract No. 901924

Vendor Name	COVID-19 Testing Vendors	Community Health Centers and Primary Care Medical Clinics	Hospitals	Labs
Alameda Health System		✓	✓	✓
The Alliance for Community Wellness dba La Familia Counseling Service	✓			
Asian Health Services		✓		
Avellino Lab USA, Inc.				✓
Axis Community Health, Inc.		✓		
Bay Area Community Health		✓		
Biocept, Inc.				✓
Color Genomics, Inc.	✓			
Community Organized Relief Effort (CORE)	✓			
Elite Management Medical Laboratory Solutions, LLC dba Diax Labs				✓
Exceltox Laboratories, LLC				✓
Fulgent Therapeutics, LLC dba Fulgent Diagnostics	✓			✓
HealthQuest Esoterics				✓
IGeneX, Inc.				✓
Kashi Clinical Laboratories, Inc.				✓
La Clínica de La Raza, Inc.		✓		
Latara Enterprise, Inc. dba Foundation Laboratory				✓
LifeLong Medical Care		✓		
Millennium Health, LLC				✓
Native American Health Center, Inc.		✓		
Niznik Lab Corp				✓
Nova Labs, LLC	✓			✓
Phamatech, Inc.				✓
Preventive Care Pathways (The James A. Watson Wellness Center)	✓			

Vendor Name	COVID-19 Testing Vendors	Community Health Centers and Primary Care Medical Clinics		
		Hospitals	Labs	
Progenity, Inc.				✓
RCA Laboratory Services, LLC dba GENETWORx				✓
Roots Community Health Center		✓		
SDI Labs Inc.	✓			✓
STAT MED P.C. (STAT MED Urgent Care)	✓	✓		
Sterling Pathology				✓
TargetDx Laboratory				✓
Telomere Diagnostics, Inc.				✓
Tiburcio Vásquez Health Center		✓		
TPT MedTech	✓			
Transplant Genomics, Inc.				✓
Washington Township Health Care dba Washington Hospital Healthcare System			✓	
West Oakland Health Council		✓		
Zenith Health Network LLC, dba Mega Lab Services	✓			

Attachment B - CONTRACT SUMMARY

Emergency COVID-19 Testing and Lab Processing Services Vendor Pool
Contracts Executed as of March 4, 2021
Master Contract No. 901924

- Alameda Health System (Principal: Delvecchio Finley; Location: Oakland), Procurement Contract No. 21116, for COVID-19 community-based testing services for the term of 9/01/2020-12/31/2020, in the amount of \$907,030; SLEB Exempt – Government Agency.
- The Alliance for Community Wellness dba La Familia Counseling Service (Principal: Aaron Ortiz; Location: Hayward), Procurement Contract No. 21277, for COVID-19 community-based testing services for the term of 9/01/2020-12/30/2020, in the amount of \$1,017,592.51; SLEB Certification No. 12-00152, expired 01/31/2021; SLEB Exempt – Non-Profit.
- Asian Health Services (Principal: Sherry Hirota; Location: Oakland), Procurement Contract No. 20932, for COVID-19 testing with Asian American/Pacific Islander language access services for the term of 7/01/2020-12/31/2020 in the amount of \$1,484,206 (includes amendments to add \$1,050,052); SLEB Exempt – Non-Profit.
- Avellino Lab USA, Inc. (Principal: Eric Bernabei; Location: Menlo Park), Procurement Contract No. 20896, for COVID-19 lab processing services for the term of 8/05/2020-03/31/2021, in the amount of \$3,845,000 (includes amendment to add \$845,000); Not SLEB Exempt – Federal SLEB Waiver No. F1696.
- Axis Community Health, Inc. (Principal: Sue Compton; Location: Pleasanton), Procurement Contract No. 21062, for Community COVID-19 testing services for the term of 9/01/2020-12/31/2020, in the amount of \$483,661.49 (includes amendment to add \$356,571.49); SLEB Exempt – Non-Profit.
- Bay Area Community Health (Principal: Zettie D. Page III; Location: Fremont), Procurement Contract No. 20894, for mobile and health center stationary testing for the term of 7/01/2020-12/31/2020, in the amount of \$2,781,634.62 (includes amendments to add \$1,718,744.62); SLEB Exempt – Non-Profit.
- Color Genomics, Inc. (Principal: Caroline Savello; Location: Burlingame), Procurement Contract No. 20709, for COVID-19 community-based testing services for the term of 6/30/2020-12/31/2020, in the amount of \$8,186,729 (includes amendment to add \$3,186,729); Not SLEB Exempt – Federal SLEB Waiver No. F1696.
- Community Organized Relief Effort (CORE) (Principal: Jerome Lebleu; Location: Los Angeles), Procurement Contract No. 21040, for COVID-19 community-based testing and mobile testing services for the term of 8/01/2020-12/31/2020, in the amount of \$1,041,751; SLEB Exempt – Non-Profit.
- Exceltox Laboratories (Principal: Brian Chavez; Location: Irvine), Procurement Contract No. 20895, for COVID-19 lab processing services for the term of 8/03/2020-12/31/2020, in the amount of \$2,000,000; Not SLEB Exempt – Federal SLEB Waiver No. F1696.

- Fulgent Therapeutics LLC dba Fulgent Diagnostics (Principal: Jakub Sram; Location: Temple City), Procurement Contract No. 20887, for COVID-19 lab processing services for the term of 7/27/2020-12/31/2020, in the amount of \$6,100,500 (includes amendment to add \$4,100,500); Not SLEB Exempt – Federal SLEB Waiver No. F1696.
- IGeneX, Inc. (Principal: Tom Paskert; Location: Milpitas), Procurement Contract No. 20975, for COVID-19 lab processing services for the term of 8/10/2020-12/31/2020, in the amount of \$2,000,000; Not SLEB Exempt – Federal SLEB Waiver No. F1696.
- La Clinica de La Raza, Inc. (Principal: Jane Garcia; Location: Oakland), Procurement Contract No. 20803, for COVID-19 community health center and primary medical clinic testing services for the term of 6/10/2020-12/31/2020, in the amount of \$4,323,211 (includes amendments to add \$2,102,611 and to extend term by two months to 12/31/20); SLEB Exempt – Non-Profit.
- LifeLong Medical Care (Principal: David B. Vliet; Location: Berkeley), Procurement Contract No. 21039, for East Oakland focused community COVID-19 testing services for the term of 8/15/2020-03/31/2021, in the amount of \$3,528,215.42 (includes amendments to add \$1,111,972.35); SLEB Exempt – Non-Profit.
- Native American Health Center, Inc. (Principal: Gregory Garrett; Location: Oakland), Procurement Contract No. 21106, for COVID-19 community-based testing services for the term of 7/1/2020-12/31/2020, in the amount of \$849,000 (includes amendment to add \$289,000); SLEB Exempt – Non-Profit.
- Roots Community Health Center (Principal: Dr. Noha Aboelata; Location: Oakland), Procurement Contract No. 21115, for COVID-19 community-based testing services for the term of 7/1/2020-12/31/2020, in the amount of \$1,920,672 (includes amendment to add \$850,733); SLEB Exempt – Non-Profit.
- SDI Labs, Inc. (Principal: Ozman Mohiuddin; Location: Garden Grove), Procurement Contract No. 21145, for COVID-19 lab processing services for the term of 9/1/2020-12/31/2020, in the amount of \$1,000,000; Not SLEB Exempt – Federal SLEB Waiver No. F1696.
- Tiburcio Vasquez Health Center (Principal: Andrea Schwab-Galindo; Location: Union City), Procurement Contract No. 21127; for COVID-19 community-based testing services for the term of 9/24/2020-12/31/2020, in the amount of \$1,030,695 (includes amendments to add \$510,284); SLEB Exempt – Non-Profit.
- Washington Township Hospital Development Corporation (Washington Hospital Healthcare System); (Principal: Kimberly Hartz; Location: Fremont), Procurement No. 21385; for COVID-19 hospitals testing in long-term facilities services for the term of 11/1/2020-12/30/2020, in the amount of \$472,687; SLEB Exempt-Health Care District.
- West Oakland Health Council (Principal: Preston DuFauchard; Location: Oakland), Procurement Contract No. 21240; for COVID-19 community-based testing services for the term of 9/1/2020-12/31/2020, in the amount of \$1,123,947 (includes amendment to add \$735,793); Not SLEB Exempt – Federal SLEB Waiver No. F1696.

**A RESOLUTION AUTHORIZING THE APPROVAL OF A THIRD AMENDMENT TO AN
EMERGENCY PROCUREMENT PROCESS FOR THE EMERGENCY COVID-19 TESTING
AND LAB PROCESSING SERVICES MASTER CONTRACT FOR THE COUNTY OF
ALAMEDA**

RESOLUTION NUMBER R-2021_____

WHEREAS, the Board of Supervisors adopted Resolution Number R-2020-341 on August 4, 2020 authorizing the approval of an amendment to an emergency procurement process for the Emergency COVID-19 Testing and Lab Processing Vendor Pool Master Contract for the County of Alameda; and

WHEREAS, the Board of Supervisors adopted Resolution Number R-2020-527 on December 15, 2020 authorizing the approval of a second amendment to an emergency procurement process for the Emergency COVID-19 Testing and Lab Processing Vendor Pool Master Contract for the County of Alameda; and

WHEREAS, the County of Alameda's Health Care Services Agency (HCSA) requests a third amendment to increase the pooled amount of the Master Contract by an additional \$9,800,000 for a grand total of \$71,000,000 and to extend the term through June 30, 2021 to accommodate the County's ongoing need to increase COVID-19 testing and lab processing services; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency within the State due to the threat posed by the novel coronavirus ('COVID-19'); and

WHEREAS, on March 5, 2020, County of Alameda Interim Health Officer, Dr. Erica Pan declared a local health emergency, which the Board ratified on March 10; and

WHEREAS, on March 16, 2020, Dr. Pan – in concert with the Health Officers of the City of Berkeley and the counties of Contra Costa, Marin, San Francisco, San Mateo, and Santa Clara – issued an emergency order directing all individuals living in the County to shelter at their place of residence except for certain essential businesses, services, and activities beginning at 12:01 a.m. on March 17, 2020, which was extended through multiple superseding Orders, including the most recent Order on January 25, 2021 (collectively, together with any extensions, the Shelter-in-Place Order); and

WHEREAS, the Bay Area Health Officers deemed the Shelter-in-Place Orders necessary to slow the spread of COVID-19; and

WHEREAS, Public Health experts agree that testing large numbers of the population is a critical tool in the control of COVID-19; and

WHEREAS, the Alameda County Health Care Services Agency and Public Health Department identified the need to increase COVID-19 testing services and lab processing services; and

WHEREAS, on June 10, 2020, in furtherance of the County's efforts to meet our testing goal of 3,100 tests per day, the HCSA opened an emergency, competitive procurement seeking

vendors to partner with the County on the critical issue of COVID-19 testing in one or more of the following vendor categories:

1. COVID-19 Testing Vendors;
2. Community Health Centers and Primary Care Medical Clinics;
3. Hospitals seeking to provide testing in Long term Care Facilities and other congregate settings; and
4. Laboratories who are able to increase capacity of the Alameda County Public Health Laboratory for COVID-19 lab processing

WHEREAS, under this emergency competitive process, potential vendors are required to demonstrate that they have sufficient qualifications and experience to provide services to Alameda County residents; and

WHEREAS, the HCSA currently expects the emergency competitive procurement process to continue as needed in 2021, the procurement will be open and ongoing responses will continue to be evaluated throughout the duration of the Vendor Pool and Master Contract No. 901924, from 6/10/20—6/30/21; and

WHEREAS, the County of Alameda (“County”) wishes to acquire the services of the vendors that will qualify into the Vendor Pool to provide emergency COVID-19 testing and lab processing services with the goal of assisting the County in its efforts to rapidly scale up much needed testing capacity and deploy resources to current and future outbreak areas and to implement a safe reopen plan; and

WHEREAS, Master Contract No. 901924 will make a not-to-exceed pooled amount of \$71,000,000 available for COVID-19 testing and lab processing services, and Alameda County Administrative Code Sections 4.12.010 and 4.12.070 require the solicitation of bids for contracts that are more than \$100,000 except in unusual cases where the Board of Supervisors (“Board”) has, by resolution, found and determined the public interest would not be served by complying with the standard bid solicitation process; and

WHEREAS, the Board has determined that the bidder minimum qualifications listed in RFQ No. HCSA-900320 are the necessary professional qualifications for vendors to have to demonstrate competence in providing services regarding medical health care, testing, or lab services; and

WHEREAS, vendors that will meet the minimum qualifications of RFQ No. HCSA-900320 will demonstrate expertise and qualifications within the community to provide emergency COVID-19 testing and lab processing services for Alameda County residents, and the Board has determined that because of the urgent need to address the COVID-19 crisis, the public interest would not be served by requiring a standard bid solicitation process in this situation for Agreements pursuant to the Master Contract No. 901924, application of which could significantly delay the provision of services.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The findings stated in the recitals to this Resolution are restated in full and adopted by reference.

2. The requirements in Administrative Code Sections 4.12.010 to .020 for the solicitation of bids are hereby waived for the selection of services from vendors who will qualify for inclusion in the COVID-19 Testing and Lab Processing Services Vendor Pool.

Adopted by the Board of Supervisors of the County of Alameda, State of California, on _____, 2021 by the following called vote:

AYES:
NOES:
EXCUSED:

Keith Carson
President of the Board of Supervisors
County of Alameda, State of California

ATTEST:
Clerk of the Board of Supervisors,
County of Alameda

APPROVED AS TO FORM:
Donna Ziegler, County Counsel

By: _____

By:  _____
41E878ED27CC4CF...
K. Scott Dickey
Assistant County Counsel