



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

NORA VARGAS
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

NATHAN FLETCHER
Fourth District

JIM DESMOND
Fifth District

DATE: April 26, 2022

16

TO: Board of Supervisors

SUBJECT

ACCEPT THE GIFT OF A MODULAR LABORATORY FROM THE COUNTY OF PLACER, AUTHORIZE THE CHAIR OF THE BOARD OF SUPERVISORS TO SIGN A LETTER OF APPRECIATION TO THE COUNTY OF PLACER, AUTHORIZE SIGNATURE OF THE TRANSFER AND REMOVAL AGREEMENT, AND AUTHORIZE A COMPETITIVE SOLICITATION RELATED TO THE MODULAR LABORATORY (DISTRICTS: ALL)

OVERVIEW

On February 16, 2022, the County of San Diego (County) Public Health Laboratory (PHL) took precautionary measures and asked staff to leave the Health Services Complex located at 3851 Rosecrans Street, due to a potential structural issue. PHL immediately implemented its continuity of operations plan (COOP) to be able to provide continued laboratory testing services. Additionally, as a short-term solution, PHL requested support from the State and received a COVID-19 testing van on February 23, 2022, and a Biosafety Level 3 (BSL-3) mobile laboratory (Laboratory) on March 22, 2022, as a temporary loan from the Civil Support Team.

During the COOP planning process, it was found that the County of Placer has a BSL-3, fully equipped modular laboratory that has been decommissioned and sitting idle since 2018. The modular laboratory is in excellent condition with no issues or problems noted at the time of its decommissioning, and the County of Placer has offered this as a gift to the County. This modular laboratory would permit the County's PHL to regain nearly its full BSL-3 testing ability. A BSL-3 testing laboratory has higher safety and security measures that allow Public Health Laboratory staff to work with dangerous pathogens that pose an aerosol exposure risk. This Biosafety level is required to work with these agents and perform the required testing provided by the Laboratory Response Network.

The Laboratory Transfer and Removal Agreement (Agreement), detailed in Attachment B, releases the County of Placer from liability of the Laboratory and its transfer, and grants the County of San Diego the right to property access to deconstruct and move the Laboratory. Additionally, the Agreement includes the County of San Diego's responsibilities for permits, approvals, and property, as needed, and liability for the laboratory, its move and recommissioning.

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The San Diego County Board of Supervisors (Board) Policy A-112 and County Administrative Code Section 66 requires Board approval to accept gifts and donations over \$5,000. Today's action requests the Board to accept the gift of a BSL-3 modular laboratory and its equipment valued at over \$1 million from the County of Placer for the benefit of San Diego County residents through the continued operations of the County PHL. Additionally, today's action requests the Board to determine the proposed action is not subject to the California Environmental Quality Act, to authorize the Chair of the Board of Supervisors to sign a letter of appreciation on behalf of the County of San Diego to the County of Placer, to authorize the Agency Director of the County Health and Human Services Agency, or designee, to sign the Transfer and Removal Agreement related to this gift, and to authorize a competitive solicitation for BSL-3 modular laboratory certification, maintenance of equipment, and related services as needed.

This item supports the County's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe and thriving communities. This will be accomplished by furthering efforts to protect the population through continued Public Health Laboratory testing services.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find the Biosafety Laboratory 3 (BSL-3) modular laboratory is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301.
2. In accordance with County Administrative Code Section 66 and Board Policy A-112, accept the gift of a BSL-3 modular laboratory and its equipment from the County of Placer.
3. Authorize the Chair of the Board of Supervisors to sign a letter of appreciation, upon receipt, on behalf of the County of San Diego to the County of Placer.
4. Approve and authorize the Agency Director, Health and Human Services Agency, or designee, to sign the Transfer and Removal Agreement.
5. In accordance with Section 401, Article XXIII of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting to issue a Competitive Solicitation for the BSL-3 modular laboratory certification, maintenance of equipment, and related services as needed, and upon successful negotiations and determination of a fair and reasonable price, award a contract/s for a term of one year, with four option years, and up to an additional six months if needed, and to amend the contract/s as needed to reflect changes to services and funding.

EQUITY IMPACT STATEMENT

To support the most vulnerable residents in San Diego County, an equity lens was used to prioritize, when appropriate, the distribution of Public Health Laboratory (PHL) testing, sample

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processing, and data collection for outbreaks of contagious diseases such as COVID-19, tuberculosis, hepatitis, and more.

Through press conferences and presentations at San Diego County Board of Supervisors meetings, the County of San Diego (County) has been able to disseminate critical information about the efforts done to address and combat items such as the COVID-19 pandemic, previous Hepatitis outbreaks, and other communicable disease information to a wide audience, as well as providing a forum to receive public comment. To continue the County's commitment to transparency and open government and remove traditional barriers to access and participation in government affairs, today's actions will provide the renewed ability for testing services within the County that have been impacted due to the current closure of the PHL. The ability to reestablish PHL testing back to near full capacity at our own County facility will allow the County to continue to provide these services and enhance the lives of Black, Indigenous, People of Color, women, people with disabilities, immigrants, youth, the LGBTQ community, and economically disadvantaged.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year (FY) 2021-23 Operational Plan in the Health and Human Services Agency (HHS). If approved, this will establish a capital asset valued at over \$1,000,000 which will be depreciated over the life of the asset. The costs associated with the donation such as deconstruction, reconstruction, and transportation will result in costs and revenue of approximately \$500,000 in FY 2021-22. Annual maintenance and certification costs are estimated at \$50,000 beginning in FY 2022-23. The funding source is the Epidemiology Laboratory Capacity Enhancing Detection Expansion grant. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

Due to the time sensitive circumstances, this item will be presented to the Health Services Advisory Board as an informational item on May 3, 2022.

BACKGROUND

On February 16, 2022, the County of San Diego (County) Public Health Laboratory (PHL) took precautionary measures and asked staff to leave the Health Services Complex located at 3851 Rosecrans Street, due to a potential structural issue. PHL immediately implemented its continuity of operations plan (COOP) to be able to provide continued laboratory testing services. As a short-term solution, PHL requested support from the State and received a COVID-19 testing van on February 23, 2022, and a Biosafety Level 3 (BSL-3) mobile laboratory on March 22, 2022, as a temporary loan from the Civil Support Team.

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During this process, it was found that the County of Placer has a BSL-3, fully equipped modular laboratory that has been decommissioned and been sitting idle since 2018. The modular laboratory is in excellent condition with no issues or problems noted at the time of its decommissioning, and the County of Placer has offered this as a gift to the County. The acceptance of this gift would allow the County to resume to near full capacity, Laboratory Response Network (LRN) testing. A BSL-3 testing laboratory also has higher safety and security measures that allow PHL staff to work with dangerous pathogens that pose an aerosol exposure. This Biosafety level is required to work with such agents and perform the required testing provided by LRN. It would also allow for additional space to bring on limited additional testing such as norovirus, measles, and mumps. The long-term planning for the County's PHL is to construct a new BSL-3 facility, however a new facility will take years to design and complete.

The gift of the modular BSL-3 laboratory will require the County to take responsibility and liability for the modular laboratory and provide all deconstruction, transportation, and reconstruction of the laboratory. The estimated expense for these items is approximately \$500,000 and approximately three months for the deconstruction, transportation, and reconstruction to take place. On April 11, 2022, Kitchell Construction was contracted to perform a site visit and assessment of condition of the modular laboratory. PHL staff attended the onsite inspection. As a result of the assessment, it was determined that the laboratory is in good shape. It was recommended to proceed with the development of a scope of work. The establishment of this modular BSL-3 laboratory will then allow the years needed to proceed with the design and construction of a new Public Health Lab facility while continuing to provide the level of service and testing needed.

The Laboratory Transfer and Removal Agreement, detailed in Attachment B, releases the County of Placer from liability of the Laboratory and its transfer, and grants the County of San Diego the right to property access to deconstruct and move the Laboratory. Additionally, the Agreement includes the County of San Diego's responsibilities for permits, approvals, and property, as needed, and liability for the laboratory, its move and recommissioning. Competitive solicitations may be needed for the certification and maintenance of the BSL-3 laboratory equipment. Contracts may be awarded for a term of one year, with four option years, and up to an additional six months if needed, and to amend the contract/s as needed to reflect changes to services and funding.

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related to this gift, and to authorize a competitive solicitation for BSL-3 modular laboratory certification, maintenance of equipment, and related services as needed.

ENVIRONMENTAL STATEMENT

The addition of a BSL-3 modular laboratory on the existing County Operations Center (COC) is categorically exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15301 (existing facilities) as it involves the addition of an approximately 1,080 square foot laboratory to an existing public facility involving negligible expansion of uses at the COC. The project is in an area where all public services and facilities (e.g. utilities) are available and the area in which the project will be located is not environmentally sensitive. The project would not trigger any of the exceptions to the exemption outlined in CEQA Section 15300.2.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's proposed actions support the County of San Diego's vision of *Live Well San Diego* and aligns with the County of San Diego's 2022-2027 Strategic Plan initiatives of Sustainability (Resiliency), Equity (Health), and Community (Safety) by protecting the population through continued Public Health Laboratory testing services.

Respectfully submitted,



HELEN N. ROBBINS-MEYER
Chief Administrative Officer

ATTACHMENT(S)

Attachment A – Thank You Letter to the County of Placer

Attachment B – Draft Modular Laboratory Transfer and Removal Agreement