



FESIA A. DAVENPORT
Chief Executive Officer

County of Los Angeles Health and Mental Health Services

DATE: Wednesday, April 21, 2021
TIME: 10:00 a.m.

**DUE TO CLOSURE OF ALL COUNTY BUILDINGS,
MEETING WILL BE HELD BY PHONE.
TO PARTICIPATE IN THE MEETING, PLEASE CALL AS FOLLOWS:
DIAL-IN NUMBER: 1 (323) 776-6996
CONFERENCE ID: 479494149#**

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**THIS TELECONFERENCE WILL BE MUTED FOR ALL CALLERS. PLEASE DIAL *6 TO
UNMUTE YOUR PHONE WHEN IT IS YOUR TIME TO SPEAK.**

AGENDA

Members of the Public may address the Health and Mental Health Services Meeting on any agenda item. Two (2) minutes are allowed for each item.

- I. Call to order
- II. **Information Item(s)** (Any Information Item is subject to discussion and/or presentation at the request of two or more Board offices):
 - a. **DHS:** Authorize Acquisition of the O-Arm Surgical Imaging System and Stealthstation S8 Surgical Navigation System for Rancho Los Amigos National Rehabilitation Center
 - b. **DHS:** Authorize the Acquisition of Seven Integrated Data Protection Appliances Solution for Various Department of Health Services Facilities and ISD Data Center One
 - c. **DHS:** Authorize the Acquisition of A 3Dimensions Mammography System for El Monte Comprehensive Health Center
 - d. **DHS:** Request Approval to Accept Compromise Offers of Settlement for Patients who Received Medical Care at either County Facilities and/or at Non-County Operated Facilities Under the Trauma Center Service Agreement

- e. **DPH:** Authorization to Accept Memorandum of Understanding Number DOJ-PROP56-2020-21-021 from the California Department of Justice to Support the Tobacco Control and Prevention Program (#5713)

III. **Presentation Item(s):**

- a. **PW/DHS/CEO:** Edward R. Roybal CHC Air Handler Replacement Project – Approve Revised Budget and Construction Change Orders

IV. **Discussion Item(s):**

- a. **DPH:** Antelope Valley Rehabilitation Center Temporary Closure Update

- V. Items Continued from a Previous Meeting of the Board of Supervisors or from the Previous Agenda Review Meeting

- VI. Items not on the posted agenda for matters requiring immediate action because of an emergency situation, or where the need to take immediate action came to the attention of the Department subsequent to the posting of the agenda

- VII. Public Comment

- VIII. Adjournment

BOARD LETTER FACT SHEET

Agenda Review Date:

Board Meeting Date:

Sup. Dist. / SPA No.:

DEPARTMENT:

SUBJECT:

I. PUBLIC BENEFIT (precise description, mandated or non-mandated)

II. RECOMMENDED ACTIONS (summarized)

III. COST AND FUNDING SOURCES

Cost:

Funding:

IV. BACKGROUND (critical and/or insightful)

V. POTENTIAL ISSUE(S)

VI. DEPARTMENT & COUNTY COUNSEL CONTACTS

May 4, 2021

DRAFT
DHS Letterhead

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**AUTHORIZE ACQUISITION OF THE O-ARM SURGICAL IMAGING SYSTEM AND
STEALTHSTATION S8 SURGICAL NAVIGATION SYSTEM FOR RANCHO LOS
AMIGOS NATIONAL REHABILITATION CENTER
(SUPERVISORIAL DISTRICT 4)
(3 VOTES)**

SUBJECT

Authorize the Director of the Internal Services Department as the County's Purchasing Agent to proceed with the sole source acquisition of the O-arm Surgical Imaging System and Stealthstation S8 Surgical Navigation System for the Department of Health Services' Rancho Los Amigos National Rehabilitation Center.

IT IS RECOMMENDED THAT THE BOARD:

Authorize the Director of the Internal Services Department (ISD), as the County's Purchasing Agent, to proceed with the sole source acquisition of the O-arm Surgical Imaging System (O-arm) and Stealthstation S8 Surgical Navigation System (Stealthstation S8) from Medtronic, Inc., for Rancho Los Amigos National Rehabilitation Center (RLANRC), with a total cost of approximately \$1,263,000, as this purchase will exceed the \$250,000 capital asset threshold established by the Board.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended action will allow ISD to acquire the O-arm and Stealthstation S8 for RLANRC with an estimated total cost of approximately \$1,263,000.

The acquisition of the O-arm and Stealthstation S8 is needed for surgical navigation of brain and spine operations. The O-arm is a mobile, intraoperative 2-D/3-D (CT-like) fluoroscopy device that acquires imaging once the patient is positioned for surgery. The images are automatically registered with the Stealthstation navigation platform. The Stealthstation enables precise resections of tumors, hemorrhages, and other disorders in the brain, spine, nasal cavities, ears, and neck as well as accurate catheter placement in the brain.

RLANRC is requesting that the O-arm and Stealthstation S8 be acquired from a sole source vendor, because this equipment is proprietary to Medtronic, Inc., thus is the only vendor that can provide it. The choice of these products has been vetted by subject matter experts at the LAC+USC Medical Center as well as the other Department of Health Services (DHS) hospitals.

Other systems on the market were considered, but they lack the features and advantages of the Medtronic system. RLANRC has determined that acquiring the O-Arm and Stealthstation S8 will save surgery time in the operating room, reduce the frequency of redo operations ("takebacks") for incorrect hardware position and enhance the surgeon's ability to continue providing high quality care and reduce surgical risks.

In addition, the new navigation system will reduce radiation exposure to staff and patients; increase the accuracy for epilepsy resections and placement of implants. It obviates the need for post-operative imaging to confirm hardware position, thus alleviating radiology backlog. Furthermore, by reducing the potential for surgical errors, it reduces medical legal liability for the County. These products have become standard of care since their introduction more than a decade ago.

Implementation of Strategic Plan Goals

The recommended action will support Goal I.2, "Enhance Our Delivery of Comprehensive Interventions" and II.2 "Support the Wellness of Our Communities", of the County's Strategic Plan.

FISCAL IMPACT/FINANCING

The total estimated cost for the O-arm and Stealthstation S8 is approximately \$1,263,000. The estimated acquisition cost includes the O-arm and Stealthstation S8. Funding is included in the DHS Fiscal Year 2020-21 Final Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On October 16, 2001, the Board approved the classification categories for fixed assets and new requirements for major fixed assets (now referred to as capital assets) acquisitions requiring County departments to obtain Board approval to purchase or finance equipment with a unit cost of \$250,000, or greater, prior to submitting their requisitions to ISD.

CONTRACTING PROCESS

The acquisition of equipment falls under the statutory authority of the County Purchasing Agent and will be accomplished in accordance with the County's purchasing policies and procedures for sole source acquisitions.

IMPACT ON CURRENT SERVICES

Approval of the recommendation will ensure the new navigation system will reduce radiation exposure to staff and patients; and increase the accuracy for tumor resections and placement of implants. It obviates the need for post-operative imaging to confirm hardware position, thus alleviating radiology backlog. The potential reduction for surgical errors, it reduces medical legal liability for the County. These products have become standard of care since their introduction more than a decade ago.

Respectfully submitted,

Christina R. Ghaly, M.D.
Director

CG:jc

c: Chief Executive Office
County Counsel
Executive Office, Board of Supervisors
Internal Services

BOARD LETTER FACT SHEET

Agenda Review Date: April 21, 2021

Board Meeting Date: May 4, 2021

Sup. Dist. / SPA No.: 1, 2, 4 & 5

CEO DA Approval

DEPARTMENT: **Health Services**

SUBJECT: **AUTHORIZE THE ACQUISITION OF SEVEN INTEGRATED DATA PROTECTION APPLIANCES SOLUTION FOR VARIOUS DEPARTMENT OF HEALTH SERVICES FACILITIES AND ISD DATA CENTER ONE**

I. PUBLIC BENEFIT (precise description, mandated or non-mandated)

Authorize the acquisition of seven Integrated Data Protection Appliances Solution for Harbor-UCLA MC, High Desert Regional HC, LAC+USC MC, MLK Jr. OC, Olive View-UCLA MC, Rancho Los Amigos National Rehabilitation Center, & ISD Data Center One

II. RECOMMENDED ACTIONS (summarized)

Authorize the Director of the Internal Services Department, as the County's Purchasing Agent, to proceed with the acquisition of seven Integrated Data Protection Appliances (IDPA) for Department of Health Services' (DHS) Harbor-UCLA Medical Center, High Desert Regional Health Center, LAC+USC Medical Center, Martin Luther King Jr. Outpatient Center, Olive View-UCLA Medical Center, Rancho Los Amigos National Rehabilitation Center, and ISD Data Center One (DC1), with an aggregate total estimated cost of approximately \$2,314,000.

III. COST AND FUNDING SOURCES

Cost: \$ 2,314,000

Funding: Funding is included in DHS Fiscal Year 20-21 Final Budget

IV. BACKGROUND (critical and/or insightful)

The IDPAs Solution serves four hospitals & two Ambulatory Care Network across the entire LAC area. These additional hardware solutions replace DHS's Data Domain & physical Avamar Grid solution with a modernize & harden converged data protection solution to deliver redundancy, resiliency & position the DHS to support current & future service demands while keeping data security top of mind. The IDPAs are needed to: 1) Simplify architecture and management of the backup infrastructures and provide DHS with a modern Data Protection platform that is highly optimized, flexible & scalable to empower IT to react faster to business needs; 2) enable DHS to consolidate multiple backup environments onto an IDPA infrastructure to yield additional economies of scale savings inherent in IDPA infrastructure for mission critical clinical & business operations; & 3) protect backup data from ransomware, insider attack, & other modern threats.

V. POTENTIAL ISSUE(S)

Failure to replace all the existing legacy systems from all (7) facilities and provide more capacity for back-up services is where the risk lies. Healthcare systems & data center operations will continue to run at increased risk of loss to critical financial & patient data due the lack of data protection system. Interruption to patient care due to the lack of disaster recovery strategies to prevent the loss of critical financial & clinical data may expose DHS to regulatory liabilities associated with HIPPA & HITECH Act. Limited funding or delays beyond the endurance of the existing equipment risk providing a solution in time to prevent loss.

VI. DEPARTMENT & COUNTY COUNSEL CONTACTS

Department of Health Services, Jason Ginsberg, jginsberg@dhs.lacounty.gov, (323) 914-7926
Department of Health Services, Brenny Ortega, brortega@dhs.lacounty.gov, (424) 338-1746
Department of Health Services, Sinakhone Skoulphong, sskoulphong@dhs.lacounty.gov, (424) 338-2266
County Counsel, Kelly Hassel, khassel@counsel.lacounty.gov, (213) 974-1803

May 4, 2021

DRAFT
DHS Letterhead

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**AUTHORIZE THE ACQUISITION OF SEVEN INTEGRATED DATA PROTECTION
APPLIANCES SOLUTION FOR VARIOUS DEPARTMENT OF HEALTH SERVICES
FACILITIES AND ISD DATA CENTER ONE
(SUPERVISORIAL DISTRICTS 1, 2, 4, & 5)
(3 VOTES)**

SUBJECT

Authorize the acquisition of seven Integrated Data Protection Appliances Solution for the Department of Health Services' Harbor-UCLA Medical Center, High Desert Regional Health Center, LAC+USC Medical Center, Martin Luther King Jr. Outpatient Center, Olive View-UCLA Medical Center, Rancho Los Amigos National Rehabilitation Center, and ISD Data Center One.

IT IS RECOMMENDED THAT THE BOARD:

Authorize the Director of the Internal Services Department (ISD), as the County's Purchasing Agent, to proceed with the acquisition of seven Integrated Data Protection Appliances (IDPA) for Department of Health Services' (DHS) Harbor-UCLA Medical Center, High Desert Regional Health Center, LAC+USC Medical Center, Martin Luther King Jr. Outpatient Center, Olive View-UCLA Medical Center, Rancho Los Amigos National Rehabilitation Center, and ISD Data Center One (DC1) identified in Attachment A, with an aggregate total estimated cost of approximately \$2,314,000.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of this action will allow ISD to acquire seven new IDPAs to refresh the current backup and recovery systems. This purchase includes all necessary appliances, configuration, installation services, software licenses, a three-year maintenance agreement and professional services for the migration off the current backup and recovery environment. The IDPAs Solution serves four hospitals and two Ambulatory Care Network across the entire Los Angeles County area. These additional hardware solutions replace DHS's Data Domain and physical Avamar Grid solution with a

modernize and harden converged data protection solution to deliver redundancy, resiliency and position the DHS to support current and future service demands while keeping data security top of mind.

The IDPAs are needed to: 1) Simplify architecture and management of the backup infrastructures and provide DHS with a modern Data Protection platform that is highly optimized, flexible and scalable to empower IT to react faster to business needs; 2) enable DHS to consolidate multiple backup environments onto an IDPA infrastructure to yield additional economies of scale savings inherent in IDPA infrastructure for mission critical clinical and business operations; and 3) protect backup data from ransomware, insider attack, and other modern threats.

The IDPA solution will support the backup and archival services for mission critical clinical and business operations of “all” DHS Divisions. In addition, help solve the challenges DHS currently experiences with traditional backup, providing fast daily full backups and reliable recovery for VMware environments, NAS servers, remote offices, and VDI systems.

IDPA utilizes patented data deduplication technology to identify redundant data segments at the client side before transfer across the network. By only moving new, unique, sub-file data segments, Power Protect IDPA appliances speeds backups windows by 50% while reducing network utilization by 90%. This allows DHS to quickly protect data despite slow, congested networks or infrastructure.

The equipment enables DHS to maintain Health Insurance Portability and Accountability Act requirements associated with patient and clinical records retention, archival and disaster recovery capabilities for supporting all DHS business and Hospital IT operations.

This acquisition is a part of DHS’ ongoing project to maintain the integrity of the DHS Internal Cloud Server Virtualization infrastructure and operations. This effort is part of DHS’ Data Center consolidation strategy.

The acquisition of the professional services component associated to the equipment exceeds the statutory authority of the County’s Purchasing Agent. Therefore, Board approval is required for the Purchasing Agent to proceed with this aspect of the acquisition.

Implementation of Strategic Plan Goals

The recommended actions support Goal I.2, “Enhance Our Delivery of Comprehensive Interventions” and II.2, “Support the Wellness of Our Communities” of the County’s Strategic Plan.

FISCAL IMPACT/FINANCING

The total estimated cost of the seven Integrated Data Protection Appliances is approximately \$2,314,000. The estimated acquisition cost includes the appliances, configuration, installation services, and software licenses, and (3) years of maintenance and support. Funding is included in the DHS Fiscal Year 2020-21 Final Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On October 16, 2001, the Board approved the classification categories for fixed assets and new requirements for major fixed asset (now referred to as capital asset) acquisitions requiring County departments to obtain Board approval to acquire or finance equipment with a unit cost of \$250,000 or greater prior to submitting their requisition to ISD.

CONTRACTING PROCESS

This is a commodity acquisition under the statutory authority of the County's Purchasing Agent. This acquisition will be competitively bid by the County's Purchasing Agent in accordance with the standard County Purchasing Policies and Procedures.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the recommendation will allow DHS to leverage a centralized web-based management to help the department make it easy and efficient to protect all of DHS facilities from a single location, using existing network bandwidth. In addition, IDPA's enterprise administration manages the expiration of retained backup data for all Data Domain and IDPA systems, both local and remote. Retention policies can be enforced by global policy to assure consistency throughout the organization.

Respectfully submitted,

Christina R. Ghaly, M.D.
Director

CRG:ss

Enclosure

c: Chief Executive Office
County Counsel
Executive Office, Board of Supervisors
Internal Services Department

ATTACHMENT A

**COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
INTEGRATED DATA PROTECTION APPLIANCES
FISCAL YEAR 2020-2021**

No.	Facility	Equipment	Estimated Cost
1	Harbor-UCLA Medical Center	IDPA DP4400	\$69,000
2	High Desert Regional Health Center	IDPA DP4400	\$48,000
3	LAC+USC Medical Center	IDPA DP5900	\$210,000
4	Martin Luther King Jr., Outpatient Center	IDPA DP8400	\$896,000
5	Olive View-UCLA Medical Center	IDPA DP4400	\$122,000
6	Rancho Los Amigos National Rehabilitation Center	IDPA DP4400	\$69,000
7	ISD Data Center One	IDPA DP8400	\$900,000
		Total:	\$2,314,000

BOARD LETTER FACT SHEET

Agenda Review Date: April 21, 2021

Board Meeting Date: May 4, 2021

Sup. Dist. / SPA No.: 1

CEO DA Approval

DEPARTMENT: **Health Services**

SUBJECT: **AUTHORIZE THE ACQUISITION OF A 3DIMENSIONS MAMMOGRAPHY SYSTEM FOR EL MONTE COMPREHENSIVE HEALTH CENTER**

I. PUBLIC BENEFIT (precise description, mandated or non-mandated)

Authorize the Director of the Internal Services Department, as the County Purchasing Agent, to proceed with the sole source acquisition of a 3Dimensions Mammography Systems from Hologic for the DHS' El Monte Comprehensive Health Center.

II. RECOMMENDED ACTIONS (summarized)

Authorize the Director of the Internal Services Department (ISD), as the County's Purchasing Agent, to proceed with the sole source acquisition of a 3Dimensions Mammography System from Hologic for Department of Health Services' (DHS) El Monte Comprehensive Health Center (El Monte CHC), with an estimated cost of approximately \$503,000. This will allow El Monte CHC to expand access to mammography services to better serve the approximately 46,000 empaneled adult patients at El Monte CHC, La Puente Health Center, East San Gabriel Valley Health Center by implementing a second mammography equipment

III. COST AND FUNDING SOURCES

Cost: \$ 503,000

Funding: Funding is included in DHS Fiscal Year 20-21 Final Budget

IV. BACKGROUND (critical and/or insightful)

The Board of Supervisors instructed the Director on February 5, 2013 to report back within 30 days on DHS protocols for prioritizing medical equipment purchases, maintenance & replacement throughout all of its facilities. On March 5, 2013, the Director provided his report to the Board, which described the criteria used to determine the priority & timing for replacement of medical equipment at all DHS facilities. Beginning in FY 2013-14, the Department established a \$10 million ongoing revolving fund to purchase & install the radiology equipment & make the necessary room alterations required to accommodate such equipment throughout DHS. DHS subsequently convened a group of subject matter expert radiologists & supply chain staff to assess DHS patient care needs for the future & thoroughly review available imaging technology in an effort to standardize imaging care across DHS, which will also provide the opportunity for group purchasing discounts; & ensure consistent integration with ORCHID. The existing mammography equipment acquired in May 2010 is old technology and is not upgradeable to meet the current recommended standard of mammography services in DHS. The purchase of the 3Dimensions Mammography System from Hologic will enhance quality of care and improve efficiency by reducing the need to refer patients to LAC+USC Medical Center Radiology. It will allow DHS to continue its acquisition strategy to standardize, replace, and update radiology equipment.

V. POTENTIAL ISSUE(S)

El Monte CHC will not be able to expand services and will not meet the current recommended standard of mammography services. This may result in a negative impact on patient outcomes as a result of delayed diagnosis and treatment of pathology.

VI. DEPARTMENT & COUNTY COUNSEL CONTACTS

Department of Health Services, Jason Ginsberg, jginsberg@dhs.lacounty.gov, (323) 914-7926
Department of Health Services, Ernest P. Espinoza, eespinoza@dhs.lacounty.gov, (626) 434-2800
County Counsel, Kelly Hassel, khassel@counsel.lacounty.gov, (213) 974-1803

May 4, 2021

DRAFT
DHS Letterhead

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**AUTHORIZE THE ACQUISITION OF A 3DIMENSIONS MAMMOGRAPHY SYSTEM
FOR EL MONTE COMPREHENSIVE HEALTH CENTER
(SUPERVISORIAL DISTRICT 1)
(3 VOTES)**

SUBJECT

Authorize the Director of the Internal Services Department, as the County Purchasing Agent, to proceed with the sole source acquisition of a 3Dimensions Mammography System from Hologic for the Department of Health Services' El Monte Comprehensive Health Center.

IT IS RECOMMENDED THAT THE BOARD:

Authorize the Director of the Internal Services Department (ISD), as the County's Purchasing Agent, to proceed with the sole source acquisition of a 3Dimensions Mammography System from Hologic for Department of Health Services' (DHS) El Monte Comprehensive Health Center (El Monte CHC), with an estimated cost of approximately \$503,000.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended action will authorize ISD, as the County's Purchasing Agent, to proceed with the sole source acquisition of a 3Dimensions Mammography System for El Monte CHC with an estimated cost of \$503,000. This will allow El Monte CHC to expand access to mammography services to better serve the approximately 46,000 empaneled adult patients at El Monte CHC, La Puente Health Center, East San Gabriel Valley Health Center by implementing a second mammography equipment. Also, the existing mammography equipment acquired in May 2010 is old technology and is not upgradeable to meet the current recommended standard of mammography services in DHS. The purchase of the 3Dimensions Mammography System from Hologic will enhance quality of care and improve efficiency by reducing the need to refer patients to LAC+USC Medical Center Radiology. It will allow DHS to continue its acquisition strategy to standardize, replace, and update radiology equipment.

By way of background, the Board of Supervisors instructed the Director on February 5, 2013 to report back within 30 days on DHS protocols for prioritizing medical equipment purchases, maintenance and replacement throughout all of its facilities. On March 5, 2013, the Director provided his report to the Board, which described the criteria used to determine the priority and timing for replacement of medical equipment at all DHS facilities. Beginning in FY 2013-14, the Department established a \$10 million ongoing revolving fund to purchase and install the radiology equipment and make the necessary room alterations required to accommodate such equipment throughout DHS. DHS subsequently convened a group of subject matter expert radiologists and supply chain staff to assess DHS patient care needs for the future and thoroughly review available imaging technology in an effort to standardize imaging care across DHS, which will also provide the opportunity for group purchasing discounts; and ensure consistent integration with the Online Realtime Centralized Health Information Database system (ORCHID, formerly referred to as the Electronic Health Record Information System). This group has approved the use of these radiology funds to purchase this recommended mammography equipment for El Monte CHC.

DHS intends to purchase proprietary Breast tomosynthesis (3D) mammography equipment from Hologic to continue service levels that provide advanced diagnostic mammography exams for patients at El Monte CHC. Such equipment is identical to the sole source purchase of equipment approved by the Board on December 10, 2019 for LAC+USC Medical Center. The mammography equipment will be used by El Monte CHC to address an increasing demand of screening mammograms for empaneled patients and will help reduce the current backlog demand for mammograms at El Monte CHC, La Puente Health Center, and East San Gabriel Valley Health Center. The new technology will be able to provide high-quality images that will be used to provide timely and effective life-saving interventions when abnormalities are detected in patients. Hologic's mammography equipment matches end user requirements with superior Acquisition Time needed to improve patient throughput; includes smart curve stabilizations system with curved paddles for improved patient comfort; has the lowest radiation dose delivery in comparison to other systems; provides superior tomosynthesis resolution and improved diagnostic evaluations; and superior imaging for dense breasts.

Implementation of Strategic Plan Goals

This recommendation support Goal II.2 "Support the Wellness of Our Communities" and III.3, "Pursue Operational Effectiveness, Fiscal Responsibility and Accountability" of the County Strategic Plan.

FISCAL IMPACT/FINANCING

The total estimated cost for the 3Dimensions Mammography System for DHS' El Monte CHC is approximately \$503,000. Funding is included in the DHS Fiscal Year 2020-21 Final Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On October 16, 2001, the Board approved the classification categories for fixed assets and new requirements for major fixed asset (now referred to as capital asset) acquisitions requiring County departments to obtain Board approval to acquire or finance equipment with a unit cost of \$250,000 or greater prior to submitting their requisition to ISD.

CONTRACTING PROCESS

The acquisition of equipment falls under the statutory authority of the County Purchasing Agent and will be accomplished in accordance with the County's purchasing policies and procedures for sole source purchases.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the recommendation will ensure the provision of standardized radiologic services across DHS and will enable DHS to provide high quality and responsive care to its patients, as well as to meet regulatory standards for access to radiologic studies.

Respectfully submitted,

Christina R. Ghaly, M.D.
Director

CRG:jc

c: Chief Executive Office
County Counsel
Executive Office, Board of Supervisors
Internal Services Department

BOARD LETTER FACT SHEET

Agenda Review Date:

Board Meeting Date:

Sup. Dist. / SPA No.:

DEPARTMENT:

SUBJECT:

I. PUBLIC BENEFIT (precise description, mandated or non-mandated)

II. RECOMMENDED ACTIONS (summarized)

III. COST AND FUNDING SOURCES

Cost:

Funding:

IV. BACKGROUND (critical and/or insightful)

V. POTENTIAL ISSUE(S)

VI. DEPARTMENT & COUNTY COUNSEL CONTACTS

May 4, 2021

DRAFT
DHS Letterhead

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**REQUEST TO ACCEPT COMPROMISE OFFERS OF SETTLEMENT
FOR PATIENTS SEEN UNDER THE
TRAUMA CENTER SERVICE AGREEMENT
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

To request Board approval for the Director of Health Services, or authorized designee, to accept compromise offers of settlement for patients who received medical care at either County facilities and/or at non-County operated facilities under the Trauma Center Service Agreement. The compromise offers of settlement referenced below are not within the Director's authority to accept.

IT IS RECOMMENDED THAT YOUR BOARD:

Authorize the Director of Health Services (Director), or authorized designee, to accept the attached compromise offers of settlement, pursuant to Section 1473 of the Health and Safety Code, for the following individual accounts:

Patients who received medical care at County facilities:

Harbor UCLA Medical Center – Account Number 101769461 in the amount of \$9,000.00

Emergency Medical Services (EMS) - Pomona Valley Hospital - Account Number CF1853723893 in the amount of \$12,000.00

Emergency Medical Services (EMS) – Providence Holy Cross Medical Center – Account Number C11792344841 in the amount of \$12,316.42

The Honorable Board of Supervisors
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LAC+USC Medical Center – Account Number 100704651 in the amount of \$15,000.00

LAC+USC Medical Center – Account Number 101848932 in the amount of \$649,504.80

Martin Luther King Outpatient Center – Account Number 100457747 in the amount of \$1,200.00

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Patients who received medical care at County facilities: The compromise offer of settlement for these patient accounts is recommended because the patients are unable to pay the full amount of charges and the compromise offers represent the maximum amount the Department of Health Services (DHS) was able to negotiate or was offered.

The best interest of the County would be served by approving the acceptance of these compromises, as it will enable the DHS to maximize net revenue on these accounts.

Implementation of Strategic Plan Goals

The recommended actions will support Strategy III.3 “Pursue for Operational Effectiveness, Fiscal Responsibility, and Accountability” of the County’s Strategic Plan.

FISCAL IMPACT/FINANCING

This will expedite the County’s recovery of revenue totaling approximately \$699,021.22. There is no net cost to the County.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Under County Code Chapter Section 2.76.046, the Director, or authorized designee, has the authority to reduce patient account liabilities by the greater of i) \$15,000, or ii) \$75,000 or 50 percent of the account balance, whichever is less. Any reduction exceeding the Director’s, or designee’s, authority requires Board approval.

On January 15, 2002, the Board adopted an ordinance granting the Director, or authorized designee, authority to compromise or reduce patient account liabilities when it is in the best interest of the County to do so.

The Honorable Board of Supervisors
May 4, 2021
Page 3

On November 1, 2005, the Board approved a revised ordinance granting the Director, or authorized designee, authority to reduce, on an account specific basis, the amount of any liability owed to the County which relates to medical care provided by third parties for which the County is contractually obligated to pay and related to which the County has subrogation or reimbursement rights. The revised ordinance was adopted by the Board on December 8, 2005.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Maximizing net revenues on patients who received medical care at County facilities will help DHS meet its budgeted revenue amounts. All payments received for the trauma accounts (non-County facilities) will replenish the Los Angeles County Trauma Funds.

Respectfully submitted,

Christina R. Ghaly, M.D.
Director

CRG:ANW:VP

Enclosures (6)

c: Chief Executive Office
County Counsel
Executive Office, Board of Supervisors

DATA FOR COMPROMISE SETTLEMENT

COUNTY OF LOS ANGELES – DEPARTMENT OF HEALTH SERVICES
TRANSMITTAL 21-4-A

Amount of Aid	\$97,640.00	Account Number	101769461
Amount Paid	0.00	Name	Adult Male
Balance Due	\$97,640.00	Service Date	02/02/2020 – 02/10/2020
Compromise Amount Offered	\$9,000.00	Facility	Harbor UCLA Medical Center
Amount to be Written Off	\$88,640.00	Service Type	Inpatient

JUSTIFICATION

The patient was treated at Harbor UCLA Medical Center at a cost of \$97,640.00. The account was referred to the County vendor whom was able to negotiate the payment of \$9,000.00 for this account. Per the attorney this case settled with 3rd party for policy limits of \$25,000.00 and patient's medical bills which are in the total of \$99,149.00.

This compromise offer of settlement is recommended because it represents the maximum amount the County vendor was able to negotiate for payment.

Due to the low recovery amount of \$25,000.00 and the insufficient funds to fully satisfy all liens, the attorney proposes the following disbursement

Disbursements	Proposed Settlement	Percent of Settlement
Attorney Fees	\$8,333.33	33.0%
Attorney Cost	\$100.00	1.00%
Other lien holders	\$7,666.67	33.0%
Harbor UCLA MC	\$9,000.00	33.0%
Total	\$25,100.00	100.00%

DATA FOR COMPROMISE SETTLEMENT

COUNTY OF LOS ANGELES – DEPARTMENT OF HEALTH SERVICES
TRANSMITTAL 21-4-B

Amount of Aid	\$119,962.45	Account Number	CF1853723893
Amount Paid	\$26,091.01	Name	Adult Male
Balance Due	\$119,962.45	Service Date	12/07/2016 – 04/25/2018
Compromise Amount Offered	\$12,000.00	Facility	EMS/Pomona Valley
Amount to be Written Off	\$107,962.45	Service Type	Emergency Medical Services

JUSTIFICATION

The above patient's case settled for \$50,000.00 and has a total of \$142,452.96 in medical bills. The patient is using his settlement to pay for incurred medical charges and attorney fees.

Emergency Medical Services (EMS) paid a total of \$26,091.01 and has compromised with the attorney a \$12,000.00 payment (refund) to the county.

Due to the low recovery amount of \$50,000.00 and the insufficient funds to fully satisfy all liens, the attorney proposes the following disbursement:

Disbursements	Total Claim	Proposed Settlement	Percent of Settlement
Attorney Fees	\$20,000.00	\$20,000.00	40.00%
Attorney Cost	\$1,450.00	\$1,450.00	3.00%
Other lien holders	\$14,870.51	\$1,000.00	2.00%
Emergency Medical Service (EMS)	\$106,869.45	\$11,000.00	22.00%
Emergency Medical Service (EMS) - Physicians	\$13,093.00	\$1,000.00	2.00%
Net to Client (Heirs)	\$0.00	\$15,550.00	31.00%
Total	\$156,282.96	\$50,000.00	100.00%

DATA FOR COMPROMISE SETTLEMENT

COUNTY OF LOS ANGELES – DEPARTMENT OF HEALTH SERVICES
TRANSMITTAL 21-4-C

Amount of Aid	\$101,950.40	Account Number	CI1792344841
Amount Paid	\$18,763.23	Name	Adult Male
Balance Due	\$101,950.40	Service Date	10/12/17 – 10/14/17
Compromise Amount Offered	\$12,316.42	Facility	EMS/Holy Cross
Amount to be Written Off	\$89,633.98	Service Type	Emergency Medical Services

JUSTIFICATION

The above patient's case settled for \$150,000.00 and has a total of \$169,399.10 in bills. The patient is using his settlement to pay for incurred medical charges and attorney fees.

Emergency Medical Services (EMS) paid a total of \$18,763.23 and has compromised with the attorney a \$12,316.42 payment (refund) to the county.

Due to the low recovery amount of \$150,000.00 and the insufficient funds to fully satisfy all liens, the attorney proposes the following disbursement:

Disbursements	Total Claim	Proposed Settlement	Percent of Settlement
Attorney Fees	\$60,000.00	\$60,000.00	40.00%
Attorney Cost	\$5,939.70	\$5,939.70	3.00%
Other lien holders	\$1,509.00	\$1,509.00	1.00%
Emergency Medical Service (EMS)	\$93,249.40	\$11,265.34	8.00%
Emergency Medical Service (EMS) - Physicians	\$8,701.00	\$1,051.08	1.00%
Net to Client (Heirs)	\$0.00	\$70,234.88	47.00%
Total	\$169,399.10	\$150,000.00	100.00%

DATA FOR COMPROMISE SETTLEMENT

COUNTY OF LOS ANGELES – DEPARTMENT OF HEALTH SERVICES
TRANSMITTAL 21-4-D

Amount of Aid	\$95,963.00	Account Number	100704651
Amount Paid	0.00	Name	Adult Female
Balance Due	\$95,963.00	Service Date	01/17/20 – 05/11/20
Compromise Amount Offered	\$15,000.00	Facility	LAC+USC Medical Center
Amount to be Written Off	\$80,963.00	Service Type	Inpatient

JUSTIFICATION

The patient was treated at LAC+USC Medical Center at a total cost of \$95,963.00. The patient has a total of \$206,625.00 in medical bills.

The attorney has settled the case in the amount of \$100,000.00. Due to the low recovery and the insufficient funds to fully satisfy all liens the attorney proposes the following disbursement:

Disbursements	Total Claim	Proposed Settlement	Percent of Settlement
Attorney Fees	\$40,000.00	\$40,000.00	40.0%
Attorney Cost	\$6,362.00	\$6,362.00	6.36%
Other lien holders	\$64,300.00	\$13,373.96	13.37%
Los Angeles Department of Health Services (LAC+USC MC)	\$95,963.00	\$15,000.00	15.00%
Net to Client (Heirs)	\$0.00	\$25,264.04	25.26%
Total	\$206,625.00	\$100,000.00	100.00%

DATA FOR COMPROMISE SETTLEMENT

COUNTY OF LOS ANGELES – DEPARTMENT OF HEALTH SERVICES
TRANSMITTAL 21-4-E

Amount of Aid	\$773,220.00	Account Number	101848932
Amount Paid	0.00	Name	Adult Female
Balance Due	\$773,220.00	Service Date	07/28/20-12/15/20
Compromise Amount Offered	\$649,504.80	Facility	LAC+USC Medical Center
Amount to be Written Off	\$123,715.20	Service Type	Inpatient

JUSTIFICATION

The patient was treated at LAC+USC Medical Center at a cost of \$773,220.00. The account was referred to the County vendor whom was able to negotiate the payment of \$649,504.80 for this account.

This compromise offer of settlement is recommended because it represents the maximum amount the County vendor was able to negotiate for payment.

DATA FOR COMPROMISE SETTLEMENT

COUNTY OF LOS ANGELES – DEPARTMENT OF HEALTH SERVICES
TRANSMITTAL 21-4-F

Amount of Aid	\$ 20,160.00	Account Number	100457747
Amount Paid	0.00	Name	Adult Male
Balance Due	\$20,160.00	Service Date	11/23/15-03/06/17
Compromise Amount Offered	\$1,200.00	Facility	Martin Luther King Outpatient Center
Amount to be Written Off	\$18,960.00	Service Type	Inpatient

JUSTIFICATION

The patient was treated at Martin Luther King Outpatient Center at a total cost of \$20,160.00. The patient's case settled for \$100,000.00 and has a total of \$679,179.55 in medical bills. The patient is using his settlement to pay for incurred medical charges and attorney fees.

Due to the low recovery amount of \$100,000.00 and the insufficient funds to fully satisfy all liens, the attorney proposes the following disbursement:

Disbursements	Total Claim	Proposed Settlement	Percent of Settlement
Attorney Fees	\$42,000.00	\$42,000.00	42.00%
Attorney Cost	\$6,265.44	\$6,265.44	6.27%
Other lien holders	\$679,179.55	\$40,411.25	40.41%
Los Angeles Department of Health Services (MLK OPC)	\$20,160.00	\$1,200.00	1.20%
Net to Client (Heirs)	\$0.00	\$10,123.31	10.12%
Total	\$747,604.99	\$100,000.00	100.00%

BOARD LETTER FACT SHEET

Agenda Review Date:

Board Meeting Date:

Sup. Dist. / SPA No.:

DRAFT

DEPARTMENT:

SUBJECT:

I. PUBLIC BENEFIT (precise description, mandated or non-mandated)

II. RECOMMENDED ACTIONS (summarized)

III. COST AND FUNDING SOURCES

Cost:

Funding:

IV. BACKGROUND (critical and/or insightful)

V. POTENTIAL ISSUE(S)

VI. DEPARTMENT & COUNTY COUNSEL CONTACTS



BARBARA FERRER, Ph.D., M.P.H., M.Ed.
Director

MUNTU DAVIS, M.D., M.P.H.
County Health Officer

MEGAN McCLAIRE, M.S.P.H.
Chief Deputy Director

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BOARD OF SUPERVISORS

Hilda L. Solis
First District

Holly J. Mitchell
Second District

Sheila Kuehl
Third District

Janice Hahn
Fourth District

Kathryn Barger
Fifth District

May 4, 2021

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**AUTHORIZATION TO ACCEPT MEMORANDUM OF UNDERSTANDING NUMBER
DOJ-PROP56-2020-21-1-021 FROM THE
CALIFORNIA DEPARTMENT OF JUSTICE TO SUPPORT THE TOBACCO
CONTROL AND PREVENTION PROGRAM
(ALL SUPERVISORIAL DISTRICTS) (3 VOTES)**

SUBJECT

Provide authorization to accept and sign Memorandum of Understanding DOJ-PROP56-2020-21-1-021 from the California Department of Justice and delegate authority to accept and sign future Memoranda of Understanding and related amendments that extend the funding term and/or allow for revisions to the terms and conditions to support tobacco control retail policy and enforcement efforts throughout Los Angeles County.

IT IS RECOMMENDED THAT THE BOARD:

1. Authorize and instruct the Director of the Department of Public Health (Public Health), or designee, to accept and sign an award under Memorandum of Understanding (MOU) Number DOJ-PROP56-2020-21-1-021 (Exhibit I) from the California Department of Justice (DOJ) for Public Health Tobacco Control and Prevention Program (TCPP) services effective upon execution for the period of January 1, 2021 through June 30, 2024, in the amount of \$3,011,292. The MOU includes

indemnification language requiring the County to indemnify DOJ from all claims, liabilities, or losses in connection with the performance of this MOU.

2. Delegate authority to the Director of Public Health, or designee, to accept future awards that are consistent with the requirements of the MOU in Recommendation 1 and/or amendments that extend the funding periods at amounts to be determined by DOJ; reflect revisions to the MOU's terms and conditions to include but not be limited to the rollover of unspent funds, redirection of funds, and/or an increase or decrease in funding, subject to review and approval by County Counsel, and notification to your Board and the Chief Executive Officer (CEO).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of Recommendation 1 will allow Public Health to accept MOU Number DOJ-PROP56-2020-21-1-021 from DOJ to support Public Health TCPP's tobacco retail policy and enforcement efforts throughout Los Angeles County (LAC).

Since 2007, Public Health TCPP in partnership with its County partners, including Public Health Environmental Health (EH), Los Angeles Sheriff's Department (LASD), and the Los Angeles County Department of Regional Planning (DRP), has been providing services to support the Tobacco Retail License (TRL) program. The objective of the TRL program is to encourage responsible tobacco retailing and to discourage violations of federal, State, and local tobacco related laws.

Public Health TCPP has an established MOU with LASD. The MOU between Public Health and LASD supports tobacco-related enforcement operations, also known as youth decoy operations, at licensed tobacco retailers in LAC to ensure responsible tobacco retailing and discourage the sale of tobacco products to minors.

Funding from this MOU will allow Public Health and its County partners to expand efforts to reduce youth access to tobacco products by increasing enforcement of and compliance with existing and new tobacco laws in the retail environment. Public Health, in partnership with LASD, will increase enforcement operations and compliance inspections focused on flavored tobacco products and electronic smoking devices (ESD)/vaping devices to reduce youth access to all tobacco products. Enforcement efforts will be focused on vape retailers, previously left unregulated under the County's TRL ordinance, tobacco only retailers and all licensed retailers.

DOJ has invited Public Health to participate in the Retail Tobacco Inspection Access (RETINA) project. Public Health's participation in RETINA will integrate existing tracking systems to more effectively track and monitor enforcement operations, suspensions, and compliance inspections.

Approval of Recommendation 2 will allow Public Health to accept future awards from DOJ under MOUs and/or amendments that extend the funding periods at amounts to be determined by DOJ and reflect revisions to the MOU's terms and conditions to include but not be limited to the rollover of unspent funds, redirect of funds, and/or increase or decrease in funding. This authority is being requested to enhance Public Health's efforts to expeditiously maximize grant revenue, consistent with Board Policy 4.070: Full Utilization of Grant Funds.

Implementation of Strategic Plan Goals

The recommended actions support Strategy II.2, Support the Wellness of Our Communities, of the County's Strategic Plan.

FISCAL IMPACT/FINANCING

MOU Number DOJ-PROP56-2020-21-1-021 provides funding for the period of January 1, 2021 through June 30, 2024 in the total amount of \$3,011,292 (\$370,409 for fiscal year (FY) 2020-21; \$1,034,126 for FY 2021-22; \$1,039,356 for FY 2022-23; and \$567,401 for FY 2023-24). Funds will support Public Health personnel costs (salaries and employee benefits), operating expenses, and costs associated with an MOU with LASD.

There is no net County cost associated with this action.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On November 27, 2007, your Board approved an ordinance to amend the Los Angeles County Code (LACC) Title 8, Consumer Protection and Business Regulations, Chapter 8.04, Public Health Licenses, to define "tobacco retailing," to establish an annual tobacco retail licensing fee of \$235, and to add LACC, Title 11, Health and Safety, Chapter 11.35, Tobacco Retailing, which sets forth the provisions for the TRL program for tobacco retailers. The approval of this ordinance established the TRL program, which includes administration, enforcement, and retailer education to prevent minors from purchasing tobacco products. The ordinance created provisions within the LACC to allow the County to recover program costs and to impose fines and suspend or revoke TRLs on retailers that engage in unlawful sales of tobacco products to minors, or who otherwise violate the provisions of the TRL program.

In September 2019, to address the increasing use by youths of ESD/vaping devices and flavored tobacco, your Board created a new business license for tobacco only retailers and strengthened the County's existing tobacco retail license program to include provisions updating the definition of tobacco products to include ESDs; prohibiting the sale of all flavored tobacco products; prohibiting the sale of tobacco products in pharmacies; and requiring minimum pack size for little cigars.

In July 2020, the California Attorney General Xavier Becerra announced the release of grants available to local governments and law enforcement to reduce illegal sales of tobacco products, especially to minors. These new grants are funded by the California Health, Research and Prevention Tobacco Tax Act of 2016 (Proposition 56) and administered by DOJ.

On August 7, 2020, Public Health submitted an application in response to the new DOJ grant opportunity, to expand the County's efforts in reducing youth access to tobacco products by increasing enforcement of and compliance with existing and new tobacco laws in the retail environment.

On December 31, 2020, the California Attorney General Xavier Becerra announced Proposition 56 grant recipients, which included Public Health TCPP. Public Health has been approved to receive \$3,011,292 from the new DOJ grant.

This MOU includes indemnification language requiring the County to indemnify DOJ from all claims, liabilities, or losses in connection with the performance of this MOU. This is a standard requirement of DOJ and cannot be waived or modified. The CEO Risk Management advised Public Health and County Counsel of the risks associated with these provisions. However, it was determined that these risks are acceptable in light of the need for these services and the resulting benefit to public health.

Attachment A is the Grant Management Statement for grants exceeding \$100,000.

County Counsel has reviewed and approved Exhibit I as to form.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the recommended actions will allow Public Health to expand tobacco retail policy and enforcement efforts throughout LAC.

Respectfully submitted,

Barbara Ferrer, Ph.D., M.P.H., M.Ed.
Director

BF:rh
#05713

Enclosures

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors

BOARD LETTER FACT SHEET

Agenda Review Date:

Board Meeting Date:

Sup. Dist. / SPA No.:

DEPARTMENT:

SUBJECT:

I. PUBLIC BENEFIT (precise description, mandated or non-mandated)

II. RECOMMENDED ACTIONS (summarized)

III. COST AND FUNDING SOURCES

Cost:

Funding:

IV. BACKGROUND (critical and/or insightful)

V. POTENTIAL ISSUE(S)

VI. DEPARTMENT & COUNTY COUNSEL CONTACTS



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

MARK PESTRELLA, Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
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<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: **PMI-2**

May 4, 2021

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**CONSTRUCTION CONTRACT
CONSTRUCTION MANAGEMENT CORE SERVICE AREA
EDWARD R. ROYBAL COMPREHENSIVE HEALTH CENTER
AIR HANDLER REPLACEMENT PROJECT
APPROVE REVISED BUDGET AND
APPROVE CONSTRUCTION CHANGE ORDERS
CAPITAL PROJECT NO. 87219
SUPERVISORIAL DISTRICT 1
FISCAL YEAR 2020-21
(4 VOTES)**

SUBJECT

Public Works is seeking Board approval to revise the project budget and authority to execute three change orders with Harry H. Joh Construction, Inc. for the Air Handler Replacement Project at the Edward R. Roybal Comprehensive Health Center.

IT IS RECOMMENDED THAT THE BOARD:

1. Find the recommended actions, with respect to the previously approved Air Handler Replacement Project at the Edward R. Roybal Comprehensive Health Center, are within the scope of the previous exemption findings by the

Board. The work included in the proposed change orders is exempt from the California Environmental Quality Act for the reasons stated in this letter and in the record of the project.

2. Approve the revised project budget from the previous Board-approved amount of \$14,500,000 to \$15,070,000 for the Air Handler Replacement Project, Capital Project No. 87219, at the Edward R. Roybal Comprehensive Health Center.
3. Approve and authorize the Director of Public Works or his designee to finalize and execute a change order with Harry H. Joh Construction, Inc. for a not-to-exceed amount of \$150,000, to install an ultraviolet germicidal irradiation disinfection system.
4. Approve and authorize the Director of Public Works or his designee to finalize and execute a change order with Harry H. Joh Construction, Inc. for a not-to-exceed amount of \$220,000, to replace the existing condenser water piping between the cooling tower and the chillers.
5. Approve and authorize the Director of Public Works or his designee to finalize and execute a change order with Harry H. Joh Construction, Inc. for a not-to-exceed amount of \$700,000, to relocate and modify various mechanical systems.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will find that the previously approved project is within the scope of the previous exemption findings by the Board and that the work included in the proposed change orders is exempt from the California Environmental Quality Act (CEQA); approve the project budget increase and authorize the Director of Public Works to execute three change orders totaling a not-to-exceed amount of \$1,070,000 with Harry H. Joh Construction, Inc., (HHJ) for the Air Handler Replacement Project at the Edward R. Roybal (Roybal) Comprehensive Health Center (CHC).

Background

On July 8, 2014, the Board approved and authorized the Roybal CHC Air Handler Replacement Project, Capital Project No. 87219, and associated budget in the amount of \$1,200,000. On November 19, 2019, the Board approved the revised project budget of \$14,500,000 for the Roybal CHC Air Handler Replacement Project, and authorized Public

Works to award and execute a construction agreement to the apparent lowest responsive and responsible bidder, HHJ, to provide construction services for the Roybal CHC Air Handler Replacement Project. Construction is currently 85 percent complete with an anticipated completion date of September 2021.

Due to the recent COVID-19 pandemic, the Department of Health Services (DHS) requested an enhancement to the air handling system by adding an ultraviolet germicidal irradiation (UVGI) disinfectant system inside the new air handlers. The new air handlers did not include the access panel and associated electrical work to support a disinfectant system. The revised scope of work includes the installation of the UVGI disinfectant system, access panel, and associated electrical requirements at each of the eight air handlers installed under the project. Approval of this recommendation will allow Public Works to issue a change order to HHJ for a not-to-exceed amount of \$150,000 to perform this work.

During the installation of the chillers, the condenser water piping connecting the chillers to the cooling towers was exposed, and it was discovered that the existing piping was corroded, filled with scale buildup and required to be replaced. Replacing the piping will improve the mechanical system's energy efficiency and extend the lifespan of the newly installed mechanical equipment. The revised scope of work includes replacing 215 linear feet of the metal piping between the chillers and the cooling towers. Approval of this recommendation will allow Public Works to issue a change order to HHJ for a not-to-exceed amount of \$220,000 to perform this work.

During the installation of the new digital controls, it was discovered that the replacement of existing variable volume dampers required modification to associated mechanical systems located above the ceiling that conflicted with the air dampers. The revised scope of work includes, but is not limited to, relocating the existing ductwork, modifying the size of the existing ductwork, or replacing the existing ductwork, as necessary, including installing additional duct bends and elbows. The revised scope of work also includes the installation of four additional fire dampers that need to be replaced, two fire dampers that need to be repaired, and associated mechanical work, including but not limited to ductwork and piping. Modifications to the ductwork also require the abatement of hazardous material present at the seams of the ductwork. Approval of this recommendation will allow Public Works to issue a change order to HHJ for a not-to-exceed amount of \$700,000 to perform this work.

Approval of the proposed change orders will allow Public Works to complete the project within the original substantial completion date of September 2021.

Green Building/Sustainable Design Program

This project is an upgrade to the building systems. The scope of work does not make it feasible to upgrade the building to the Leadership in Energy and Environmental Design certified level to meet the Board's December 20, 2016, policy. The proposed project will support the Board's Policy for Green Building/Sustainable Design Program by recycling disposable material and by replacing old equipment with new energy-efficient equipment.

Implementation of Strategic Plan Goals

These recommendations support the County Strategic Plan: Strategy II.1, Drive Economic and Workforce Development in the County; Strategy II.2, Support the Wellness of our Communities; and Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability by supporting the wellness of our communities and enhancing the delivery of comprehensive and seamless healthcare services to the residents of the County seeking healthcare assistance.

FISCAL IMPACT/FINANCING

The previously Board-approved project budget for the Roybal CHC Air Handler Replacement Project was \$14,500,000. Approval of the recommended actions will revise the previously Board-approved project cost of \$14,500,000 to \$15,070,000 (Enclosure), which includes costs for construction, change order contingency, plans and specifications, permit fees, consultant services, inspection services, County services, and negotiated change orders. DHS has previously paid \$532,000 for preliminary design services through the DHS operating budget.

There is sufficient appropriation in the project's Fiscal Year 2020-21 final budget to fund the projected Fiscal Year 2020-21 expenditures for the Roybal CHC Air Handler Replacement Project, Capital Project No. 87219. DHS will provide future budget phase funding to fully fund the remaining project budget.

Operating Budget Impact

There is no one-time or ongoing operational costs anticipated following completion of the project. There is no net County cost impact associated with the recommendations.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Roybal CHC Air Handler Replacement Project is exempt from the Board's Civic Art Policy as the project provides for repair or replacement of existing facilities or mechanical equipment.

In accordance with the Board's consolidated Local and Targeted Worker Hire Policy adopted on September 6, 2016, the project continues to require that at least 30 percent of the total California craft worker hours for construction of the project be performed by Local Residents and at least 10 percent be performed by Targeted Workers facing employment barriers.

The monetary amount of two of the three proposed change orders (Recommendations 4 and 5) are within the delegated authority of the Director of Public Works. However, Public Contract Code Section 20145 limits the aggregate total amount of change orders that the Director can approve under delegated authority to 25 percent of the amount of the original contract. As set forth in more detail below, the Director has already approved 37 change orders under delegated authority in the aggregate total amount of \$2,226,510, which total represents 24 percent of the original contract amount. As a result, the Director is not authorized to approve the two proposed change orders under delegated authority.

Section 20137 of the Public Contract Code allows the Board, with a four-fifths vote, to authorize an individual change order that is 10 percent or less of the original contract amount without having to obtain bids for the work. Each of the proposed change orders, hereunder, are within the statutory threshold.

ENVIRONMENTAL DOCUMENTATION

The Board approved the project and determined that it was exempt from the CEQA on July 8, 2014, under Sections 15301 and 15302 of the State CEQA Guidelines and Classes 1 and 2 of the County's Environmental Document Reporting procedures and Guidelines, Appendix G, since the project consists of upgrades and replacement of features at an existing facility. The approved project continues to be within the scope of the previous finding of exemption and the proposed work included in the change orders and exempt under the same sections, as well as Section 15303 of the State CEQA Guidelines and Class 3 of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G since the revisions include similar upgrades, replacements, and installation of new equipment at existing facilities.

Replacement equipment will continue to have the same purpose and capacity as equipment replaced and there will be negligible or no expansion of use. In addition, based on the record of the proposed Roybal CHC Air Handler Replacement Project, as revised, will continue to comply with applicable regulations, there are no cumulative impacts, unusual circumstances, damage to scenic highways, listing on hazardous waste site lists compiled pursuant to Government Code Section 65962.5, or indications that the revised project may cause a substantial adverse change in the significance of a historical resource.

Upon the Board's approval of the Air Handler Replacement Project, Public Works will file a Notice of Exemption with the Registrar-Recorder/County Clerk in accordance with Section 15062 of the State CEQA Guidelines.

CONTRACTING PROCESS

On November 19, 2019, the Board authorized the award of a construction contract to the apparent lowest, responsive, and responsible bidder, HHJ for an amount of \$9,080,500. Of the \$2,270,125 change order contingency of the Board approved budget, Public Works has executed 37 change orders under delegate authority of the Director of Public Works pursuant to Public Contract Code Sections 20142 and 20145 in the combined amount of \$2,226,510.

Approval of the recommended actions to issue three construction change orders to HHJ will increase the contract amount by \$1,070,000 not-to-exceed amount, for a revised total contract amount of \$12,377,010, which is approximately 36 percent of the original contract amount.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the recommended actions will have no impact on current services at the Roybal CHC. Patient care services will remain fully operational during construction, and the existing air handler systems will remain in operation until the completion of the new system with minor short-term disruptions to the center operations.

The Honorable Board of Supervisors
May 4, 2021
Page 7

CONCLUSION

Please return one adopted copy of this Board letter to Public Works, Project Management Division I.

Respectfully submitted,

MARK PESTRELLA, PE
Director of Public Works

MP:AKM:jc

Enclosures

c: Department of Arts and Culture
Auditor-Controller
Chief Executive Office (Capital Programs Division)
County Counsel
Executive Office
Department of Health Services (Capital Projects Division)

**CONSTRUCTION CONTRACT
CONSTRUCTION MANAGEMENT CORE SERVICE AREA
EDWARD R. ROYBAL COMPREHENSIVE HEALTH CENTER
AIR HANDLER REPLACEMENT PROJECT
APPROVE REVISED BUDGET AND
APPROVE CONSTRUCTION CHANGE ORDERS
CAPITAL PROJECT NO. 87219
SUPERVISORIAL DISTRICT 1
FISCAL YEAR 2020-21
(4 VOTES)**

I. PROJECT SCHEDULE SUMMARY

Project Activity	Scheduled Completion Date
Construction Documents	04/30/19 (Actual)
Jurisdictional Approvals	10/31/19 (Actual)
Construction Award	05/13/20 (Actual)
Substantial Completion	09/16/21
Project Acceptance	11/16/21

II. PROJECT BUDGET SUMMARY

Project Activity	Previous Board-Approved Budget	Impact of this Action	Proposed Project Budget
Construction	\$10,010,000	\$ 0	\$10,010,000
Change Orders Contingency	\$ 1,662,000	\$ 0	\$ 1,662,000
Additional Change Orders	\$ 0	\$756,384	\$ 756,384
Construction Subtotal	\$11,672,000	\$756,384	\$12,428,384
Civic Arts	\$ 0	\$ 0	\$ 0
Hard Cost Subtotal	\$11,672,000	\$756,384	\$12,428,384
Plans and Specifications	\$ 670,000	\$ 19,000	\$ 689,000
Consultant Services	\$ 360,000	(\$235,100)	\$ 124,900
Miscellaneous Expenditures	\$ 40,000	(\$ 10,000)	\$ 30,000
Jurisdictional Review	\$ 400,000	(\$132,000)	\$ 268,000
County Services	\$ 1,358,000	\$171,716	\$ 1,529,716
Soft Cost Subtotal	\$ 2,828,000	(\$186,384)	\$ 2,641,616
TOTAL	\$14,500,000	\$570,000	\$15,070,000