



# Monterey County

**Item No.**

## Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

**Legistar File Number: A 22-177**

**May 10, 2022**

**Introduced:** 4/14/2022

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** BoS Agreement

- a. Approve and authorize the Director of Health or the Assistant Director of Health to sign a non-standard Agreement with Clear Labs, Inc. in the amount of \$442,483 to provide a CL-Assurance One Plans annual preventative maintenance plan agreement for three years and CL-WGS Reagent kits used for SAR S-CoV2 genome sequencing for the term of upon execution date through March 31, 2025; and
- b. Approve the recommendation of the Director of Health to accept non-standard risk provisions in the Agreement; and
- c. Approve and authorize the Director of Health or the Assistant Director of Health to sign up to three (3) future amendments to this Agreement where the amendments do not significantly change the scope of work and do not cause an increase of more than ten percent (10%) (\$44,248) of the original contract amount.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Director of Health or the Assistant Director of Health to sign a non-standard Agreement with Clear Labs, Inc. in the amount of \$442,483 to provide a CL-Assurance One Plans annual preventative maintenance plan agreement for three years and CL-WGS Reagent kits used for SAR S-CoV2 genome sequencing for the term of upon execution date through March 31, 2025; and
- b. Approve the recommendation of the Director of Health to accept non-standard risk provisions in the Agreement; and
- c. Approve and authorize the Director of Health or the Assistant Director of Health to sign up to three (3) future amendments to this Agreement where the amendments do not significantly change the scope of work and do not cause an increase of more than ten percent (10%) (\$44,248) of the original contract amount.

**SUMMARY/DISCUSSION:**

The Monterey County Health Department is seeking approval of an agreement with Clear Labs, Inc. to provide SARS-CoV-2 genome sequencing test kits and preventative maintenance service for the Clear Labs instrument. Genomic surveillance of SARS-CoV-2 variants enables the Health Department to identify and track emerging variants and to assess prevalence, transmissibility and virulence potential of variants circulating in Monterey County. The Clear Labs instrument allows the Public Health Laboratory to obtain sequencing results in 24 to 48 hours as compared to several weeks when tested by reference laboratories.

Non-standard provisions of this agreement include: (1) non-standard indemnification provision for third

party intellectual property claims only; and (2) limitation of total liability of this agreement to the amount of fees paid by the County in the preceding 12 months prior to the rise of the action.

This work supports the Monterey County Health Department 2018-2022 Strategic Plan Goals: 2. Enhance public health and safety through prevention, 3. Ensure access to culturally and linguistically appropriate, customer-friendly, quality health services, and 4. Engage Health Department workforce and improve operational functions to meet current and developing population health needs. It also supports the following of the ten essential public health services, specifically: 1. Assess and monitor population health status, factors that influence health, and community needs and assets, and 2. Investigate, diagnose, and address health problems and hazards affecting the population.

OTHER AGENCY INVOLVEMENT:

The office of the County Counsel has reviewed and approved this Agreement as to legal form. Auditor-Controller has reviewed and approved this Agreement as to fiscal provisions.

FINANCING:

Appropriations for this agreement are included in the Health Department's (HEA003-8124) FY 2021-22 Adopted Budget. The agreement is funded 100% by California Department of Public Health (CDPH) Epidemiology and Laboratory Capacity (ELC) grant funds for FY2021-2023. FY2023-2026 costs will be funded 28% by laboratory fee revenue and 72% through Public Health Realignment.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Check the related Board of Supervisors Strategic Initiatives:

Economic Development:

- Through collaboration, strengthen economic development to ensure a diversified and healthy economy.

Administration:

- Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability, and transparency.

Health & Human Services:

- Improve health and quality of life through County supported policies, programs, and services, promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

Infrastructure:

- Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.

Public Safety:

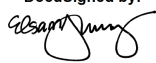
- Create a safe environment for people to achieve their potential, leading businesses and communities to thrive and grow by reducing violent crimes as well as crimes in general.

Prepared by: Patricia Velarde, Management Analyst I, 796-1377

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Approved by:

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Date: 4/25/2022 | 4:06 PM PDT

Elsa Mendoza Jimenez, Director of Health, 755-4526

Attachment:

Agreement