

**86977**

DATE: August 18, 2021

TO: The Honorable Board of Acquisition and Contract

FROM: Sherlita Amler, M.D.  
Commissioner of Health

Re: Authority for the County of Westchester to enter into agreements with Mount Sinai Health Systems, Inc., Mirimus, Inc. and Quadrant Biosciences, Inc. for COVID-19 screening testing services of students, teachers and staff in public and private schools K-12 for a term commencing upon execution and terminating on December 31, 2021 for an amount not to exceed in the aggregate of \$13,430,697.00 with the County having the option to renew any or all of the agreements for an additional 7 month period from January 1, 2022 to July 31, 2022 on the same terms, conditions and price and subject to the availability of funds, acceptable past performance, the County's determination that an extension is in its best interests and the prior approval of your Honorable Board.

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Authority is respectfully requested from your Honorable Board for the County of Westchester (the "County"), acting by and through its Department of Health (the "Department"), to enter into agreements with Mount Sinai Health Systems, Inc., Mirimus, Inc. and Quadrant Biosciences, Inc. for COVID-19 screening testing services of students, teachers and staff in public and private schools kindergarten through grade 12 (K-12) for a term to commence upon execution and terminate on December 31, 2021 at the rates set forth below for an amount not to exceed in the aggregate of \$13,430,697.00 with the County having the option to renew any or all of the agreements for an additional 7 month period from January 1, 2022 to July 31, 2022 on the same terms, conditions and price and subject to the availability of funds, acceptable past performance, the County's determination that an extension is in its best interests and the prior approval of your Honorable Board (the "Agreements").

The rates at which the companies will perform the COVID-19 screening testing service are set forth below:

Mirimus, Inc.	\$17.00 per sample
Quadrant Biosciences, Inc.	\$20.00 per sample \$65/reflex testing for all 12 samples in the pool Shipping using UPS or FedEx at actual cost
Mount Sinai Health Systems, Inc.	\$25.00 per sample; and be it further

By a resolution approved on July 1, 2021, your Honorable Board authorized the County, through the Department of Health, to enter into a grant agreement with the Health Research, Inc. to

accept funding for the ELC Reopening Schools: Support for Screening Testing To Reopen & Keep Schools Operating Safely Grant program (the "Program") from July 1, 2021 through July 31, 2022 in the amount not-to-exceed \$15,800,820.00. The County is in the process of executing the grant agreement with the Health Research, Inc. The proposed Agreements with the contractors will implement the goals of the Program.

The proposed Agreements will serve an important public purpose. Experts agree on the importance of in-person learning for the health, development and well-being of children. Protecting students, teachers and staff as they re-enter the classroom by preventing the spread of SARS-CoV-2 in the schools is essential. Screening testing is an important part of a multi-layered approach to keep schools open and operating safely as it allows for the early detection and isolation of pre-symptomatic and asymptomatic individuals.

The goals and objectives of the Agreements are to minimize the spread of COVID-19 in schools and maximize in-person learning days. Through the proposed Agreements, the County will provide funding to establish the COVID-19 screening testing program in schools K-12 to safely open for in-person instruction in the Fall and, if the County exercises its option, remain open throughout the 2021-2022 school year.

The goals and objectives will be tracked and monitored by the Department by tracking, on a weekly basis, the number of tests conducted by each Contractor (by district and school), the number of positive cases identified by each Contractor (by district and school) as a result of screening testing, and the number of school-related close contacts quarantined as a result of in-school exposure (by district and school). The Department will also track the duration of any school closures triggered by COVID-19 outbreaks within the school.

Authorization is sought for approval of the following subcontractors for Mount Sinai Health System Inc.:

C-19 Safety First                      sample collection  
45 Rockefeller Plaza  
Suite 1970  
New York, NY 10111

and

Verbosity                                      Registration, Testing and Results Platform  
8381 Old Courthouse Rd Ste 310  
Vienna, VA 22182; and be it further

In addition, authorization is sought for approval of the following subcontractors for Mirimus, Inc.:

Elevation Health, LLC                      sample collection  
12 W 21 Street 8<sup>th</sup> Floor  
New York, NY 10010

and

MEENTA    Results and Testing Portal  
55 Court Street, 2nd Floor  
Boston MA 02108; and be it further

The Agreements are exempt from the Westchester County Procurement Policy (the "Policy") pursuant to Section 3(a) viii thereof, which exempts contracts for medical and health related services.

In addition, Section 13 of the Westchester County Procurement Policy specifies that each procurement that is funded, in whole or in part, by federal funds shall be made in accordance with any and all applicable federal laws, regulations, rules, guidance, instructions, or grant terms. The procurement that is the subject of the proposed Agreements complies with 2 C.F.R. 200.320(f)(2), which allows for non-competitive procurement when "[t]he public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation." In the instant case, a public exigency and emergency exists for the proposed Agreements and to open the schools safely for in person instruction in the Fall (on or about September 1, 2021), which cannot be delayed by having to publicize and issue a formal RFP.

Accordingly, authority is respectfully requested from your Honorable Board for the County to enter into these Agreements.

SA/ran  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/19/2021 - RAYMOND SCULKY, DEPUTY

## RESOLUTION

Upon a communication from the Commissioner of Health, it is hereby

**RESOLVED**, that the County of Westchester (the "County") acting by and through its Department of Health (the "Department"), is authorized to enter into agreements with Mount Sinai Health Systems, Inc., Mirimus, Inc. and Quadrant Biosciences, Inc. for COVID-19 screening testing services of students, teachers and staff in public and private schools K-12 at the rates set forth below for a term commencing upon execution and terminating on December 31, 2021 for an amount not to exceed in the aggregate of \$13,430,697.00 with the County having the option to renew any or all of the agreements for an additional 7 month period from January 1, 2022 to July 31, 2022 on the same terms, conditions and price, and subject to the availability of funds, acceptable past performance, the County's determination that an extension is in its best interests and the prior approval of your Honorable Board:

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Quadrant Biosciences, Inc.	\$20.00 per sample \$65/reflex testing for all 12 samples in the pool Shipping using UPS or FedEx at actual cost
Mount Sinai Health Systems, Inc.	\$25.00 per sample; and be it further

**RESOLVED**, that the following companies are approved as subcontractors for Mount Sinai Health Systems, Inc.:

C-19 Safety First                      sample collection  
45 Rockefeller Plaza  
Suite 1970  
New York, NY 10111

and

Verbosity                                      Registration, Testing and Results Platform  
8381 Old Courthouse Rd Ste 310  
Vienna, VA 22182; and be it further

**RESOLVED**, that the following companies are approved as subcontractors for Mirimus, Inc.:

Elevation Health, LLC                      sample collection  
12 W 21 Street, 8<sup>th</sup> Floor  
New York, NY 10010

and

MEENTA    Results and Testing Portal  
55 Court Street, 2nd Floor  
Boston MA 02108; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is authorized and empowered to execute and deliver all instruments and take all actions necessary or appropriate to effectuate the purposes hereof.

Original Agreement	\$
First Amendment	\$
Second Amendment	\$
This Amendment	\$ _____
TOTAL	\$ _____

Agreement # \_\_\_\_\_

<u>Account to be Charged/Credited</u>	<u>Fund</u>	<u>Dept</u>	<u>Major Program, Program &amp; Phase or Unit</u>	<u>Object/ Sub-Object</u>	<u>Trust Account</u>	<u>Dollars</u>
	263	27	W037	4380	G037	\$13,430,697
<u>Budget Funding Year(s)</u> (must match resolution) <u>2021-2022</u> Start Date <u>Upon Execution</u> End Date <u>07/31/22</u>						
<u>Funding Source</u>	<u>Tax Dollars</u>	_____				
	<u>State Aid</u>	_____				
<b>\$13,430,697</b>	<u>Federal Aid</u>	100% Federal Pass Thru funds from HRI, NYSDOH				
<u>(must match resolution)</u>	<u>Other</u>	_____				

APPROVED BOARD OF ACQUISITION & CONTRACT 08/19/2021 - RAYMOND SCULKY, SECRETARY