

RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH CERNER HEALTH SERVICES, INC. TO CONTINUE THE UTILIZATION OF THE ELECTRONIC MEDICAL RECORD, APPLICATIONS, AND SERVICES, EXTENDING THE TERM OF THE AGREEMENT BY THREE YEARS THROUGH DECEMBER 31, 2023 AND INCREASING THE TOTAL NOT TO EXCEED AMOUNT BY \$12,461,086 TO AN AMOUNT NOT TO EXCEED \$59,817,900

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, on September 23, 2003, this Board approved an agreement with Siemens Health Solutions, USA, Inc. (Siemens) for ongoing information technology support and additional applications at San Mateo Medical Center (SMMC); and

WHEREAS, on February 1, 2015, Siemens was acquired by Cerner Health Services, Inc. (Cerner) and the agreement was assigned to Cerner; and

WHEREAS, the agreement has been amended multiple times; and

WHEREAS, a three-year extension of the current agreement term of September 23, 2003 through December 31, 2020 is necessary to continue the utilization of Cerner's Electronic Medical Record (EMR) and other applications and services at SMMC until December 31, 2023; and

WHEREAS, on December 11, 2018, the parties approved an amendment to the contract to implement Cerner's EMR applications at the Correctional Facilities; and

WHEREAS, during implementation, a significant change of scope was identified which will require additional Cerner services; and

WHEREAS, the need for digital records has been further highlighted by the COVID-19 response; and

WHEREAS, the Emergency Zero-Dollar Bail Release overwhelmed Correctional Health Services (CHS) staff working to do comprehensive releases; and

WHEREAS, paper charts were the primary record providing current medical and prescription information for this very vulnerable population; and

WHEREAS, following approval of this amendment, the parties will enter into a mutually agreed change of scope amendment for the additional services and costs not to exceed \$485,000; and

WHEREAS, in order to continue services until December 31, 2003, an additional \$17,150,000 is needed; and

WHEREAS, the Fifth Period Not to Exceed amount outlines: base charges totaling \$15,231,293, expected regulatory upgrades totaling \$607,012, approved CHS services and applications totaling \$826,695, and \$485,000 for the completion of the CHS Project; and

WHEREAS, funds identified in the current contract ending December 31, 2020, cover up to \$4,688,914, and \$12,461,086 is needed to make up the difference in order to extend the term through December 31, 2023; and

WHEREAS, County Health is requesting your Board waive the Request for Proposals (RFP) process to allow Cerner to continue to provide these services and increase the funding through the end of the term while County Health evaluates options for a Health System Electronic Health Record; and

WHEREAS, Ordinance Code Section 2.83.170 authorizes the Board of Supervisors to waive the RFP process in any situation where the Board of Supervisors determines that the best interest of the County could be served without the necessity of a proposal; and

WHEREAS, the Board has determined it is in the best interest of the County to waive the RFP process; and

WHEREAS, Cerner and the County wish to further amend the agreement to allow the County to continue the utilization of the EMR, applications, and services, extending the term of the agreement by three years through December 31, 2023 and increasing the total not to exceed amount by \$12,461,086, to an amount not to exceed \$59,817,900; and

WHEREAS, the Board has been presented with a form of the amendment, has examined and approved it as to both form and content, and desires to enter into the amendment; and

BE IT FURTHER RESOLVED, that the President of this Board of Supervisors be and is hereby authorized and directed to execute said amendment for and on behalf of the County of San Mateo, and the Clerk of the Board shall attest the President's signature thereto.

BE IT FURTHER RESOLVED, that the Chief of San Mateo County Health or designee is authorized to execute contract amendments which modify the County's maximum fiscal obligation by no more than \$25,000 (in aggregate), and/or modify the contract term and/or services so long as the modified term or services is/are within the current or revised fiscal provisions.

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