

Introduced by:	Mayor
Date:	06/02/20
Hearing:	06/02/20
Action:	Enacted
Vote:	9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
EMERGENCY ORDINANCE 2019-19-40**

AN EMERGENCY ORDINANCE APPROPRIATING FUNDS FROM THE CENTRAL PENINSULA HOSPITAL PLANT REPLACEMENT FUND TO PURCHASE A HIGH CAPACITY MOLECULAR TESTING PLATFORM IN ORDER TO BETTER ENSURE TESTING RESOURCES NECESSARY TO PROTECT THE BOROUGH RESIDENTS AND BUSINESSES FROM THE NOVEL CORONAVIRUS DISEASE DURING AND AFTER REOPENING THE BOROUGH, AND AUTHORIZING A PROPRIETARY PROCUREMENT

WHEREAS, on January 31, 2020, the Secretary of Health and Human Services declared a public health emergency concerning the Novel Coronavirus Disease outbreak (COVID-19); and

WHEREAS, on March 11, 2020, the Governor of Alaska declared a Public Health Disaster Emergency concerning the Novel Coronavirus; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency concerning the Novel Coronavirus; and

WHEREAS, on March 16, 2020, the borough mayor issued a Disaster Emergency Declaration due to the current and imminent impacts of the COVID-19 Pandemic in the areas of the borough outside of the cities and the disaster is continuing to significantly impact the borough; and

WHEREAS, the assembly finds that an emergency exists based upon the ongoing widespread COVID-19 pandemic; and

WHEREAS, on March 29, 2020, the United States Congress passed H. R. 748, a \$2 trillion economic stimulus bill known as the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to provide aid and economic relief to individuals, businesses, healthcare facilities and state and local governments; and

WHEREAS, on May 20, 2020 the Alaska State Legislature passed House Bill 343 which ratified the governor and executive branch plan for expending \$1.25 billion of CARES Act funding received by the State of Alaska; and

WHEREAS, the Kenai Peninsula Borough has been awarded \$37,458,449.47, with a first installment of approximately \$21,325,715 in restricted CARES Act, Coronavirus Relief Fund funding that will be distributed for eligible projects once the grant agreement has been fully executed and must be spent under the guidelines of Section 601(d) of the Social Security Act; and

WHEREAS, per the supporting CPGH resolution 2020-21, due to lack of a centrally located high capacity testing, less than 3 percent of the Kenai Peninsula Borough population has been tested for COVID-19; and

WHEREAS, discussions between the Kenai Peninsula Borough Mayor, Central Peninsula Hospital and South Peninsula Hospital administrations, have determined that COVID-19 testing for borough residents is neither rapid, reliable nor ubiquitous as necessary to protect our communities; and

WHEREAS, COVID-19 testing is widely recognized as a high priority test that will help limit the spread and impact of the disease by identifying cases, providing quick treatment and isolation to prevent spread, and to identify people who came into contact with infected people so they can be quickly treated as well; and

WHEREAS, Central Peninsula Hospital, South Peninsula Hospital (both borough-owned hospitals) and the Kenai Peninsula Borough Mayor have determined the purchase of a centralized high capacity rapid test system is necessary to protect borough residents and businesses under the multiple declared COVID-19 public health emergencies at the federal, state, and local levels as the pandemic continues to plague and disrupt our communities; and

WHEREAS, the high capacity molecular testing platform has a preliminary estimated cost not to exceed \$400,000 for equipment only, plus ongoing annual maintenance costs of \$45,000 with an initial expected delivery lead time of four to six months; and

WHEREAS, the medical testing unit will drive some space needs along with electrical and air handling improvements those details and estimated costs will be brought forward for a supplemental appropriation as soon as they are available; and

WHEREAS, the Department of Health and Human Services is also awarding grant funds to states, territories, and local jurisdictions to support testing for COVID-19; meant to ensure that they have the testing resources necessary to meet their testing goals as states, territories, and local jurisdictions reopen; and

WHEREAS, it is the intent of the borough administration to pursue additional grant opportunities through the CARES Act in pursuit of reimbursement for this need; and

WHEREAS, the administration has been in contact with Roche Diagnostics Corporation (Roche) which manufactures the cobas 6800 system which tests for COVID-19; and

WHEREAS, Roche has been experiencing a large demand for this platform with many units back-ordered; and

WHEREAS, the sooner CPGH, Inc. can place this order the quicker the borough will be able to obtain and install the testing equipment, which will enable people in the borough to obtain reliable COVID-19 test results much more rapidly than currently available; and

WHEREAS, at its regular meeting of May 28, 2020, the CPGH, Inc. board recommended approval by passage of their Resolution 2020-21; and

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. Funds in the amount of \$400,000 are appropriated from the Central Peninsula Hospital Plant Replacement Fund to account number 490.81110.20D1R.49999 for the purchase of a molecular testing platform and associated costs.


SECTION 2. The mayor is authorized to submit grant applications related to the Coronavirus Aid, Relief, and Economic Security Act funding in pursuit of funds to support the unanticipated COVID-19 Pandemic response and associated expenditures to protect the borough residents and businesses.

SECTION 3. The Mayor is authorized to purchase a cobas 6800 system from Roche Diagnostics Corporation on a sole-source basis. The justification for sole source is to retain the same system used throughout the State of Alaska which is capable of addressing the large testing capacity as well as ensuring the reliability of resupplying testing medium.

SECTION 4. That the appropriation made in this ordinance is of a project length nature and as such does not lapse at the end of any particular fiscal year.


SECTION 5. That this ordinance takes effect immediately upon enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 2ND DAY OF JUNE, 2020.

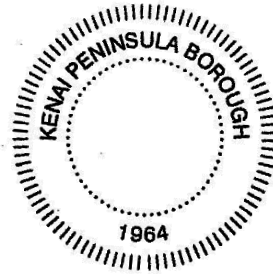


Kelly Cooper, Assembly President

ATTEST:



Johni Blankenship, MMC, Borough Clerk



Yes: Bjorkman, Blakeley, Carpenter, Cox, Dunne, Hibbert, Johnson, Smalley, Cooper

No: None

Absent: None