



DATE: June 7, 2022

TO: Mayor and City Council

FROM: Assistant City Manager/Interim HR Director

SUBJECT: Adopt a Resolution Authorizing the City Manager to Execute an Agreement with Primary Diagnostics, Inc. (“Primary”) in an Amount Not to Exceed \$90,000 to Continue to Provide the City’s Software Platform for Maintaining Vaccine Records and COVID-19 Testing Results Through December 31, 2022

RECOMMENDATION

That Council adopts a resolution (Attachment II) authorizing the City Manager to execute an agreement with Primary in an amount not to exceed \$90,000 to continue to provide the City’s software platform for maintaining vaccine records and COVID-19 testing results through December 31, 2022.

SUMMARY

The City’s COVID-19 Vaccine and Testing Mandate Policy (“the Policy”) requires all employees to either be fully vaccinated and provide a copy of their vaccination record or participate in twice-weekly testing. The City initially entered into an agreement with Primary on November 23, 2021 to maintain vaccine records and test results for a period of six (6) months from November 23, 2021 to May 23, 2022. The contract was thereafter extended on May 18, 2022 for Primary to provide services through June 30, 2022. This agreement is for the City to renew its contract with Primary to maintain vaccine records and test results Citywide until December 31, 2022.

BACKGROUND

During the COVID-19 pandemic, the City issued a Vaccine and Testing Mandate Policy to provide a safe and healthy workplace, consistent with COVID-19 public health guidance and legal requirements, and to protect its employees and the public as it reopened services and returned more employees to the workplace.

Vaccination is the most effective way to prevent transmission and limit COVID-19 hospitalizations and deaths. Unvaccinated staff are at greater risk of contracting and spreading COVID-19 within the workplace and to the public that depends on City services. Testing for COVID-19 is an important and effective way to ensure that individuals who are infected, can be identified and isolated to prevent the further spread of COVID-19. To protect employees and others and fulfill its obligations to the public, the City requires all employees to either (1) be

fully vaccinated and report their vaccination status to the City; or (2) participate in twice-weekly testing and comply with masking requirements.

All City employees were asked to report their vaccination status to the City, initially through MUNIS Employee Self Service (ESS), and then through Primary once the portal was launched. Employees who failed to report their vaccination status to the City are treated as though they are unvaccinated and are therefore subject to masking and twice-weekly testing as required under the Policy. Employees who participate in twice-weekly testing must upload their test results to Primary.

According to the Federal Centers for Disease Control (CDC), the California Department of Public Health (CDPH), and the Alameda County Health Officer, COVID-19 continues to pose a risk, especially to individuals who are not fully vaccinated, and certain safety measures remain necessary to protect against COVID-19 cases and deaths. Thus, the City has continued need for Primary's services.

DISCUSSION

The City began mandated testing for public safety in December 2021, following a county health order requiring unvaccinated public safety personnel to test once per week for COVID. Remaining City staff began testing on March 1, 2022, pursuant to the Policy. Primary sends out automated reminders to testing participants with a unique link for the employee to upload their results. The link allows employees to upload their test results directly to the Primary platform from their phone or with the help of the onsite test observer. Primary collects this data and sends a weekly non-compliance report to the department supervisor or assigned point-of-contact. Authorized Human Resources staff can access the Primary portal to verify both vaccine records and test results. Primary has been the test result system of record since December 2021 and the vaccine system of record since March 2022.

Last month, the California Division of Occupational Safety and Health (Cal/OSHA) extended the current COVID-19 Prevention Emergency Temporary Standards (ETS), that requires employers to establish, implement, and maintain an effective written COVID-19 Prevention Program, through December 31, 2022. Extension of this contract would allow the City to continue to maintain vaccination and testing records and to track compliance of the City's vaccine and testing policy in compliance with Cal/OSHA standards.

ECONOMIC IMPACT

This agenda item will have no direct impact on the local economy.

FISCAL IMPACT

The executed agreement with Primary will result in a fiscal impact not-to-exceed \$90,000. The cost of the agreement with Primary is funded using American Rescue Plan Act (ARPA) funding.

STRATEGIC ROADMAP

The Strategic Roadmap outlines the City of Hayward's highest priorities over the next three years and the specific steps to achieve them. This item supports the following Strategic Roadmap priority:

Strengthen Organizational Health:

- Item R11: Employee Wellness during Covid-19

SUSTAINABILITY FEATURES

The recommended action for this report will not directly result in physical development, purchase or service, new policy or legislation related to sustainability.

PUBLIC CONTACT

No public contact was made for this item.

NEXT STEPS

If Council approves, staff will prepare the agreement to be executed by the City Manager.

Prepared by: Candi Jackson, Human Resources Administrative Assistant
Kakshi Master, Acting Deputy Director of Human Resources

Recommended by: Regina Youngblood, Assistant City Manager/Interim HR Director

Approved by:



Kelly McAdoo, City Manager