

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

789



FROM: Bob Doyle, Sheriff-Coroner-PA

SUBMITTAL DATE:

July 17, 2007

SUBJECT: APPROVAL OF SOLE SOURCE AWARDS FOR CORONER SERVICE CONTRACTS

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve and authorize the Chairperson to execute professional service agreements for Forensic Pathologist services with Dr. Gordon Freeman and Dr. Stephanie Erlich in the aggregate annual amount of \$50,000 without obtaining competitive bids in accordance with Ordinance 459.4, and;
2. Authorize the Purchasing Agent to renew the contract annually in one year increments for up to three (3) additional years, provided the cost does not exceed the contract amounts.

BACKGROUND: The County's Chief Forensic Pathologist, Dr. Joseph Cohen, must utilize a number of Doctors for specialized postmortem services. Dr. Freeman conducts examinations of dental records to obtain positive identifications on decedents. Dr. Erlich, a Neuropathologist, is called in to conduct macroscopic examinations of the brain, spinal cord and eyes.

(Continued on Page 2)

Valerie Hill for

Bob Doyle, Sheriff-Coroner-PA
Valerie Hill

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 50,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 50,000	Budget Adjustment:	No
	Annual Net County Cost:	\$ 50,000	For Fiscal Year:	FY2007-08

SOURCE OF FUNDS: Departmental Budget

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: *Lisa Brandl*

Lisa Brandl

County Executive Office Signature

- Dep't Recomm.: Consent
- Per Exec. Ofc.: Consent
- Policy Policy

Prev. Agn. Ref.: 3.27 on 11/23/04 | District: ALL | Agenda Number:

**ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD**

3.100

BOARD OF SUPERVISORS

**FORM 11: APPROVAL OF SOLE SOURCE AWARDS FOR CORONER SERVICE
CONTRACTS**

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In the U.S., there have been approximately 1,200 Doctors certified as Forensic Pathologists, since the certification was first offered in 1959. Obviously, many have retired, passed on or otherwise no longer practice. Of the remaining Doctors, the number who are licensed in the State of California and who also have experience with examinations for law enforcement agencies is extremely small. The Coroner's office is fortunate that it has found Doctors Freeman and Erlich locally, and has developed a good working rapport with them over the last few years.

As a further example of the scarcity of Board certified Forensic Pathologists, in 2001 and again in 2005, Orange County requested proposals for all forensic pathology/autopsy services required by the County, a contract that exceeded \$7 million in 2001; both times Orange County received a single response, which was from the Richards, Fischer, Fukumoto Medical Group.

PRICE REASONABLENESS

Dr. Freeman's fee of \$350 per case is consistent with other dentists providing the same service and will not increase from his previous three-year contract.

Dr. Erlich has raised her fee per case by \$100 to \$450. After extensive analysis by the County's Chief Forensic Pathologist, Dr. Cohen was able to identify only four Board Certified Forensic Neuropathologists in Southern California. Dr. Cohen estimates that Dr. Erlich's \$450 fee per case is at the lower end of the fee scale and most Neuropathologists charge between \$500 and \$1,000 per case. Furthermore, although the Richards, Fischer, Fukumoto Medical Group does not charge Orange County on a per case basis for the services of a Forensic Neuropathologist; Richards, Fischer, Fukumoto Medical Group confirmed that they are paid from \$500 up to \$1,000 per case. This is Dr. Erlich's first fee increase in over seven years.

The Sheriff's Department, with the Purchasing Department's support, is seeking sole source awards to Doctors Freeman and Erlich and continuing with them in three-year Agreements through June 30, 2010. The Sheriff's Department has set an annual \$20,000 cost limit on Dr. Freeman's services and a \$30,000 annual cost limit for Dr. Erlich.

Date: July 19, 2007

From: Bob Doyle, Sheriff
Department: Sheriff – Coroner’s Office

To: Board of Supervisors
Via: Purchasing Agent

Subject: Sole Source Procurement; Request for

The below information is provided in support of my Department requesting approval for a sole source. Outside of a duly declared emergency, the time to develop a statement of work or specifications is not in itself justification for sole source.

Supply/Service being requested: Services of Forensic Pathologists

Supplier being requested: Dr. Freeman, Forensic Odontologist and Dr. Erlich, Forensic Neuropathologist

Alternative suppliers that can or might be able to provide supply/service: In the U.S., there have been approximately 1,200 Doctors certified as Forensic Pathologists, since the certification was first offered in 1959. Obviously, many have retired, passed on or otherwise no longer practice. Of the remaining Doctors, the number who are licensed in the State of California and who have experience with examinations for law enforcement agencies is extremely small. The Coroner’s office is fortunate that it has found Doctors Freeman and Erlich locally, and has developed a good working rapport with them over the last few years.

Extent of market search conducted: State Licensing Board for Forensic Pathologists

Reasons why my department requires these unique features and what benefit will accrue to the county: The County’s Chief Forensic Pathologist, Dr. Joseph Cohen, must utilize a number of Doctors for specialized postmortem services. Dr. Freeman conducts examinations of dental records to obtain positive identifications on decedents. Dr. Erlich, a neuropathologist, is called in to conduct macroscopic examinations of the brain, spinal cord and eyes.

Price Reasonableness: Dr. Freeman’s fee of \$350 per case is consistent with other dentists providing the same service and will not increase from his previous three-year contract. Dr. Erlich has raised her fee per case by \$100. This is her first fee increase in over seven years.

The County’s Chief Forensic Pathologist, Dr. Cohen, knows of only four Board certified Forensic Neuropathologists in Southern California. He estimates that Dr. Erlich’s \$450

fee per case is at the low end of the fee scale. In fact, some Doctors charge between \$500 and \$1,000 per case. Further, a spokesperson for the Richards, Fischer, Fukumoto Medical Group, which handles all the Forensic Pathologist/autopsy services for Orange County, confirmed the \$500 to \$1,000 per case price range. However, it must be noted that the Group does not charge Orange County on a per case basis for the services of a Forensic Neuropathologist.

Does moving forward on this product or service further obligate the county to future similar contractual arrangements? No.

Department Head Signature

Date

Purchasing Department Comments:

Approve

Approve with Condition/s

Disapprove



Purchasing Agent

7-23-07

Date