

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

948



**FROM:** Human Resources Department

**SUBMITTAL DATE:**  
June 9, 2009

**SUBJECT:** Approve a purchasing cap of \$65,000 for NCS Pearson Incorporated, for assessment services without securing competitive bids

**RECOMMENDED MOTION:** That the Board of Supervisors approve a purchasing cap of \$65,000 for NCS Pearson Incorporated, for the remainder of FY 08/09 without obtaining competitive bids.

**BACKGROUND:** The Human Resources Department employs a Law Enforcement Psychologist to conduct fitness-for-duty and pre-employment psychological evaluations of peace officers and other high-stakes/risk positions as mandated by the California Commission on Peace Officer Standards and Training (POST). POST requires that California peace officers are "...found to be free from any physical, emotional, or mental condition which might adversely affect the exercise of the powers of a peace officer" (California Government Code, Section 1029 and 1031). The Law Enforcement Psychologist utilizes a battery of industry-standard, instruments to conduct these psychological evaluations

(Continued)

*[Signature]*  
Ronald W. Komers  
Asst. County Executive Officer/Human Resources Dir.

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 65,000	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 65,000	Budget Adjustment:	No
	Annual Net County Cost:	\$ 65,000	For Fiscal Year:	2008/09

<b>SOURCE OF FUNDS:</b> Risk Management Fund	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** APPROVE

BY: *[Signature]*  
Elizabeth J. Olson

**County Executive Office Signature**

- Policy
- Policy
- Consent
- Consent

Dept't Recomm.:  
Per Exec. Ofc.:

**Prev. Agn. Ref.:** | **District:** | **Agenda Number:**

3.25

**BACKGROUND continued:**

The Law Enforcement Psychologist employs the following instruments: Minnesota Multiphasic Personality Inventory - 2 (MMPI-2), Millon Clinical Multiaxial Inventory-III (MCMI-III), Symptom Checklist-90-Revised (SC-90-R), Alcohol Use Inventory (AUI), and 16 Personality Factor 5th Edition (16PF). The Human Resources Department purchases these instruments from NCS Pearson Incorporated (Pearson). Pearson is the exclusive licensee of the University of Minnesota for the distribution of these copyrighted instruments (Attachment A). The 16PF is authored and distributed by the Institute for Personality and Ability Testing Incorporated (IPAT); however, Pearson offers a version of the 16PF on our pre-existing Q-Local software at a lower unit price (Attachment A).

Starting in 2008, the Sheriff Department began a two-phase project that included an expansion of the Larry Smith Correctional Facility and the construction of a new jail located west of Cabazon. In response, Human Resources Department initiated a massive recruitment effort to meet the impending staffing needs of the Sheriff Department. The Human Resources Department tested over 7600 candidates and sent over 4200 candidates through the Sheriff Department's background process this fiscal year. Nearly 1000 of these candidates proceeded to the pre-employment psychological evaluation. Due to the increase in the volume of pre-employment psychological evaluations, the annual cost for these instruments has exceeded the Purchasing Agent's authority. The Human Resources Department requests approval to raise our purchasing cap to \$65,000 for the remainder of FY 2008-09.

Date: **May 28, 2009**  
From: **Ronald W. Komers, Assistant County Executive Officer/Human Resources Director**  
Department/Agency: **Human Resources Department**  
To: **Board of Supervisors**  
Via: **Purchasing Agent**  
Subject: **Sole Source Procurement; Request for NCS Pearson Inc.**

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:  
**Minnesota Multiphasic Personality Inventory-2 (MMPI-2), Symptom Checklist-90-Revised (SC-90-R), and Alcohol Use Inventory (AUI).**

Supplier being requested: **NCS Pearson Inc.**

Alternative suppliers that can or might be able to provide supply/service: **None.**

Extent of market search conducted: **None.**

Unique features of the supply/service being requested from this supplier, which no alternative supplier can provide: **The vendor we are seeking to purchase from is the creator and author of the assessments we have chosen to administer. While other vendors may sell the assessments, these vendors are secondary marketers and as such would be selling the products at a mark up. By contracting with the author and creator of the assessments, we are getting the best price available by avoiding resellers. See attached confirmation letter from NCS Pearson Inc.**

Reasons why my department requires these unique features and what benefit will accrue to the county: **The MMPI-2, SC-90-R, and AUI are critical tools utilized by our Law Enforcement Psychologist in performing pre-employment psychological evaluations of Public Safety Officers and other high-stakes/risk positions.**

Price Reasonableness: **By purchasing from creator and author of assessments we have chosen to administer, we are getting the best price available by avoiding resellers.**

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

  
\_\_\_\_\_  
**Department Head Signature**

**5/27/09**  
\_\_\_\_\_  
**Date**

Purchasing Department Comments:

**Approve**

**Approve with Condition/s**

**Disapprove**

  
\_\_\_\_\_  
**Purchasing Agent**

**5/29/09**  
\_\_\_\_\_  
**Date**

# PEARSON

**Pearson**  
5601 Green Valley Dr, 4<sup>th</sup> Fl  
Bloomington, MN 55437  
(P) 800-627-7271, ext. 3291  
(F) 800-632-9011

February 18, 2009

Mr. Erik Collier  
County of Riverside  
Assessment Center  
1115 Spruce Street, #F  
Riverside, CA 92507

Dear Mr. Collier:

This is to confirm that the *MMPI<sup>®</sup>-2* (Minnesota Multiphasic Personality Inventory<sup>®</sup>-2) test is distributed by Pearson as a sole source product. Pearson is the exclusive licensee of the University of Minnesota for the distribution of the copyrighted *MMPI<sup>®</sup>-2* test in the United States of America.

This confirms that the *AUI* (Alcohol Use Inventory) test is proprietary to and is distributed exclusively by Pearson as a sole source product.

This confirms that the *SCL-90R<sup>®</sup>* (Symptom Checklist-90-Revised) test is distributed by Pearson. Pearson is the exclusive licensee of Dr. Leonard R. Derogatis and Clinical Psychometrics Research, Inc. for the distribution of the copyrighted *SCL-90R<sup>®</sup>* test.

This confirms that the *MCMI-III<sup>™</sup>* (Millon<sup>™</sup> Clinical Multiaxial Inventory-III) test is distributed by Pearson as a sole source product. Pearson is the exclusive licensee of Dr. Theodore Millon and DICANDRIEN, Inc. for the distribution of the copyrighted *MCMI-III<sup>™</sup>* test.

This also confirms that the *Q Local<sup>™</sup>* Scoring and Reporting Software is proprietary to and is distributed exclusively by Pearson.

If you have any questions or need additional information, please contact me at 1-800-627-7271, extension 3291.

Sincerely,



Amy Cadalbert  
Assessment Representative

"MMPI" and "Minnesota Multiphasic Personality Inventory" are registered trademarks of the University of Minnesota  
"SCL-90-R" is a registered trademark of Leonard R. Derogatis, PhD  
"MCMI-III" and "Millon" are trademarks of DICANDRIEN, Inc.  
"Q Local" is a trademark of Pearson

ATTACHMENT "A"

Product	Quantity	Pearson Q-Local Unit Price	IPAT NetAssess Unit Price
16 Personality Factor – 5th Edition	1-4	\$18.75	\$36.00
Basic Score Report	5-9	\$14.75	\$36.00
	10-49	\$13.50	\$18.50
	50-99	\$12.50	\$18.50
	100-249	\$10.50	\$15.50
	*250+	\$10.00	\$15.50

\* Quantity currently utilized by Human Resources