

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



932

FROM: Stanley L. Sniff Jr., Sheriff-Coroner-PA

SUBMITTAL DATE:
08/15/12

SUBJECT: Approval of Sole Source Awards for Coroner's Bureau Service Contracts

RECOMMENDED MOTION: Move that the Board of Supervisors:

1. Approve and authorize the Chairperson and Sheriff-Coroner-PA to execute FY 2012-13 professional service agreements with the following Doctors, at a cost not to exceed \$50,000 each, without securing competitive bids, in accordance with Ordinance 459.4:

Dr. Eugene Carpenter
Dr. Daryl Garber
Dr. Scott Luzi

2. Authorize the Purchasing Agent to renew the contracts annually in one year increments through FY 2015, provided the annual cost does not increase.

BR 13-031 (Continued on Page 2)

[Signature] For
Stanley L. Sniff Jr., Sheriff-Coroner-PA
Will Taylor, Director of Administration

FINANCIAL DATA	Current F.Y. Total Cost:	\$150,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$100,000	Budget Adjustment:	No
	Annual Net County Cost:	\$100,000	For Fiscal Year:	FY 2012-13

SOURCE OF FUNDS: Department Budget and fees collected pursuant to Ordinance 837.2	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

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD OF SUPERVISORS

Per Exec. Ofc.: Consent Policy

FORM APPROVED BY COUNTY COUNSEL
BY: NEAL R. KIPNIS
DATE: 8/15/12
Purchasing: Mark Seller, Assistant Director
Departmental Concurrence

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD OF SUPERVISORS
Dep't Read Policy Policy
Per Exec. Ofc.: Consent Policy

BACKGROUND: The County's Chief Forensic Pathologist must utilize a number of Doctors and trained technicians for specialized postmortem services. He works together with a full-time staff of four Forensic Pathologists. However, with the staff schedules and the number of autopsies and external examinations that the Coroner's Bureau performs annually, it must retain qualified physicians on contract to meet the demand, in lieu of hiring additional full-time positions.

Each Pathologist takes one day per week to complete autopsy protocols, and, at least, one is testifying in court nearly every weekday, effectively that leaves the Bureau with only three full-time physicians available. One of the remaining three has to go to the Coroner's Bureau in Indio, regardless of the number of autopsies there.

In 2011, the Coroner's Bureau performed 1,410 autopsies and 898 Pathologist consultations, also known as external exams, wherein medical findings are made without making body incisions. The National Association of Medical Examiners limits a single Doctor to three autopsies per day. Counting the external exams at two for one autopsy, the Bureau performs over seven autopsies a day in a 260 day work year. The 260 day work year, accounts for holidays, but not for vacations or sick leave. Further, each full-time Pathologist is required to have 40 hours a year of Certified Medical Examiner training. This results in the Bureau working with one less Pathologist for five weeks each year. Therefore, there is ample evidence the Bureau needs to augment its staff, and Pathologists willing to take contact case work is optimal for both scheduling and cost.

The Coroner's office is fortunate that it has found Doctors Carpenter, Garber and Luzi locally, and is requesting the Board award contracts to them without securing competitive bids, due to the scarcity of Board certified Forensic Pathologists.

There are less than one thousand Board certified Forensic Pathologists in the nation. The number of those Physicians who are licensed in the State of California and who have experience with examinations for law enforcement agencies is extremely small. The Coroner's Bureau has experience with Doctors Carpenter and Garber. Dr. Carpenter has provided autopsy services under contract on a case-by-case basis to Riverside County since 2002. Dr. Garber has provided this same service intermittently since 1995. The Bureau came in contact with Dr. Luzi when he recently tested with other applicants for a full-time Forensic Pathologist vacancy. Bureau staff was very impressed with his abilities. However, he is currently a full-time Forensic Pathologist at the San Diego Naval Hospital and has approximately three more years left in his military commitment.

Price Reasonableness

The proposed contracts specify a fixed autopsy fee of \$550, which was instituted for contract Forensic Pathologists in 2005. The total annual amount for all three Doctors will not exceed \$150,000. In comparison, the annual pay range for a Forensic Pathologist IV position is from \$162,846 to \$207,073. Of course, a contract Pathologist is utilized, as necessary, with no total amount guaranteed.

Date: 08/16/12

From: Riverside County Sheriff's Department

To: Board of Supervisors

Via: Purchasing Agent

Subject: Sole Source Procurement Request for the Services of Board Certified Forensic Pathologists

The information below 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.

1. Supply/Service being requested: The Sheriff-Coroner's Bureau requires the services of Board certified Forensic Pathologists who will work on a case-by-case basis to augment its full-time Pathologist staff.

2. Supplier being requested: Doctors Eugene Carpenter, Darryl J Garber and Scott A. Luzi.

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

4. Extent of market search conducted: There is a scarcity of Board Certified Forensic Pathologists in Riverside County and in fact all of Southern California. In the past, the Coroner's Bureau has had problems filling full-time County Pathologist positions. After receiving no eligible applicants, the Bureau surveyed Riverside and surrounding Counties to find a Pathologist interested in accepting the assignment on a contractual basis; it discovered Doctors Carpenter and Garber through such surveys.

The Bureau came in contact with Dr. Luzi when he recently tested with other applicants for a full-time Forensic Pathologist vacancy. Bureau staff was very impressed with his abilities. However, he is currently a full-time Forensic Pathologist at the San Diego Naval Hospital and has approximately three more years left in his military commitment.

5. Unique features of the supply/service being requested from this supplier, which no alternative supplier can provide: As stated above, there is a scarcity of Board certified Forensic Pathologists in Southern California, and those who have experience with examinations for law enforcement agencies and also willing to take case work are even rarer. The Coroner's Bureau has experience with Doctors Carpenter and Garber. Dr. Carpenter provided autopsy services on a case-by-case basis to Riverside County during the period since 2002. Dr. Garber has provided this same service intermittently since 1995.

6. Reasons why my Department requires these unique features and what benefit will accrue to the County: The services of Forensic Pathologists are critical to the ability of the Sheriff-Coroner to discharge his duties, through autopsy and medical findings.

Although the Coroner's Bureau currently has a Chief Forensic Pathologist and four full-time Forensic Pathologists on staff, with the staff schedules and the number of autopsies and external examinations that the Coroner's Bureau performs annually, it must retain qualified physicians on contract to meet the demand, in lieu of hiring additional full-time positions.


Each full-time Pathologist takes one day per week to complete autopsy protocols, and, at least, one is testifying in court nearly every weekday, effectively that leaves the Bureau with only three full-time physicians available. One of the remaining three has to go to the Coroner's Bureau in Indio, regardless of the number of autopsies there.

In 2011, the Coroner's Bureau performed 1,410 autopsies and 898 Pathologist consultations, also known as external exams, wherein medical findings are made without making body incisions. The National Association of Medical Examiners limits a single Doctor to three autopsies per day. Counting the external exams at two for one autopsy, the Bureau performs over seven autopsies a day in a 260 day work year. The 260 day work year, accounts for holidays, but not vacation or sick leave. Further, each doctor is required to have 40 hours a year of Certified Medical Examiner training. This results in the Bureau working with one less Physician for five weeks each year. Therefore, there is ample evidence the Bureau needs to augment its staff, and Pathologists willing to take case work is optimal for both scheduling and cost.

7. Price Reasonableness including purchase price and any ongoing maintenance or ancillary costs from the supplier: All three Physicians have agreed to \$550 per autopsy, a case cost instituted in 2005. The annual amount of for all three contracts combined will not exceed \$150,000. In comparison, the annual pay range for a Forensic Pathologist IV position is from \$162,846 to \$207,073. Of course, a contract Pathologist is utilized as necessary, with no total amount guaranteed.

8. Does moving forward on this product or service further obligate the county to future similar contractual arrangements or any ongoing costs affiliated with this sole source? (Maintenance, support, or upgrades, if so, please explain). No

9. Period of Performance: Annual contracts with renewal options through FY 2015.


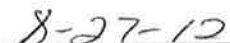


Chief Deputy Signature 
Date

Department Head Signature _____
Date

Purchasing Department Comments:

Approve Approve with Condition/s Disapprove

Not to exceed: \$ 150,000 One time Annual Amount through 6-30-2015


Purchasing Agent 
Date 
Approval Number
(Reference on Purchasing Documents)