

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

523



FROM: FIRE

SUBMITTAL DATE:
January 30, 2013

SUBJECT: Sole Source Professional Services Agreement with Pulmonary Consultants & Primary Care Physicians Medical Group, Inc.

RECOMMENDED MOTION: Move that the Board of Supervisors:

1. Approve and authorize the Purchasing Agent to execute one (1) year Sole Source Agreement with Pulmonary Consultants & Primary Care Physicians Medical Group, Inc. for Hazardous Response Team Member Physical Examinations not to exceed \$75,000 annually without seeking competitive bids, which includes an option to renew the Agreement for four (4) additional one (1) year periods; and
2. Authorize the Purchasing Agent, in accordance with Ordinance No. 459, to exercise the renewal option, based on the availability of fiscal funding, and to sign amendments that do not change the substantive terms of the agreement, including amendments to the compensation provision that do not exceed the annual CPI rates.

BACKGROUND: Continued Page 2

John R. Hawkins, County Fire Chief

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 75,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 18,000	Budget Adjustment:	No
	Annual Net County Cost:	\$ 18,000	For Fiscal Year:	12/13

SOURCE OF FUNDS: General Funds, Structural Fire Taxes and Contract Revenue	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY:
Tina Grande

County Executive Office Signature

- Consent
- Policy
- Consent
- Policy

Dept's Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.:

District: All

Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

3-32

Purchasing, Mark Seiler, Assistant Director

Departmental Concurrent

BACKGROUND: (Continued)

The Fire Department is requesting a sole source professional services agreement with Pulmonary Consultants & Primary Care Physicians Medical Group, Inc. This agreement will be for annual occupational medical evaluations of our Hazardous Materials Response Team (HazMat) members. Annual HazMat Occupational Medical Evaluation physicals are required under Federal regulation CFR: 1910-120 and State of California regulation CCR5192.

The California Department of Forestry and Fire Protection (CAL-Fire) Policy 1800 Manual lists the requirements of medical clearance for employment and is also based on the position duty statement or job classification. This medical evaluation is also part of Safety Personnel Memorandum of Understanding. The requirement specific to safety personnel working on HazMat to name a few are listed below:

- Use of respirators;
- Operation of heavy motorized vehicles/equipment or vehicles engaged in transportation of passengers or equipment which requires a commercial driver's license, (this does not include driving incidental to the performance of State business); and,
- Exposure to chemical agents, or hazardous material known to cause human illness.

Medical examinations are required for:

- Entry into a safety classification; and,
- Employees participating in an annual hazardous materials examination; and,
- Respirator use.

Other governing entities' which require this physical as a mandatory and annual event are the United States department of Labor, Occupational Safety and Health Administration, Title 8 Subchapter 7 General Industry Safety Orders.

HazMat members are sent annually when their medical evaluations are set to expire and require renewal.

The Fire Department has researched the use of County Occupational Health and found the services not cost effective. The County clinics do not have the capability at this time to perform the entire medical evaluation at one location. They are unable to complete the Pulmonary Stress Tests, Cardiac Stress Tests or Chest x-rays. These would need to be performed at an alternate location and would cause the Fire Department to incur additional costs in overtime. The use of County Occupational Health will be reevaluated at the end of this contract period.

RE: Sole Source Professional Services Agreement with Pulmonary Consultants
& Primary Care Physicians Medical Group

Date: January 30, 2013

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PRICE REASONABLENESS:

The services are reasonably priced considering the extent of service provided and exam is completed within four hours at same location. Pulmonary Consultants fee is \$505.00 per surveillance exam. This price is a discounted rate and a reduction of 15.1% or \$90.00 per exam. Additionally, research shows that the pricing offered is lower than OCC Health's \$564.65 per exam, San Bernardino Health and Wellness Center \$563.60 for males and \$616.60 for females per exam also UC Irvine Healthcare at \$750.00 per exam.

Date: January 28, 2013
From: John R. Hawkins, County Fire Chief Department/Agency: FIRE
To: Board of Supervisors/Purchasing Agent
Via: Purchasing Agent
Subject: Sole Source Procurement; Request for Occupational Medical Evaluation for Hazardous Materials Response Team Members

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.

1. **Supply/Service being requested:** *Annual Occupational Medical Evaluation of Hazardous Materials Response Team Members.*
2. **Supplier being requested:**
*Pulmonary Consultants & Primary Care Physicians Medical Group, Inc
Vendor code #0000009541*
3. **Alternative suppliers that can or might be able to provide supply/service:** *County Occupational Health (OCC), however there are currently having contract issues with a third party vendor and requires employee to travel to multiple locations for the exam and possibly over multiple days.*
4. **Extent of market search conducted:** *Additional vendors have been contacted. Many cannot perform the exam in one day or they outsource portions of the exam requiring the employee to travel to multiple locations incurring additional cost for overtime and travel above the base price of the exam. County Occupational Health was determined to be unfeasible. The clinics do not have the capability at this time to perform the entire physical at one location. They are unable to complete the Pulmonary Stress Tests, Cardiac Stress Tests or Chest x-rays. These would need to be performed at an alternate location. Both Occupational Health and other vendors would cause an increase in staff overtime and travel expense.*
5. **Unique features of the supply/service being requested from this supplier, which no alternative supplier can provide:** *Pulmonary Consultants & Primary Care Physicians Medical Group, Inc has been completing our medical evaluations since 1997. Pulmonary Consultants completes the exam at one location within a few hours. This reduces the travel and overtime expenses to complete the exam. They are set up to complete the entire medical evaluation (medical history, exposure history, physical examination, blood test, urinalysis, vision test, audiograms, spirometry, chest x-ray, electrocardiogram cancer screening (as indicated) and immunizations and infectious disease screening (as indicated). Pulmonary Consultants is competent with regards to the requirements (laws and regulations) involving Hazardous Materials Response exams, this is why a large number of other Response Teams also use this vendor.*
6. **Reasons why my department requires these unique features and what benefit will accrue to the county:** *Required by the following standard, Laws and regulations: NFPA 1582, Title 29 CCR Part 1910.95, 1980; 1910.120 1980 and 1986, Part 1910.134, 1998; Part 1910.1030, 1995; CAL OSHA Title 8, ANSI Z24.5 Audiometric Device Testing, ATS Standard for spirometric Testing. Reduce overall cost associated to complete the exam. The exam allows Team Members to respond to emergency incidents and perform their duties they are employed to perform on emergency incidents.*

7. **Price Reasonableness including purchase price and any ongoing maintenance or ancillary costs from the supplier:** *The services are reasonably priced considering the extent of service provided and exam is completed within four hours at same location. Pulmonary Consultants fee is \$505.00 per surveillance exam. This price is a discounted rate and a reduction of 15.1% or \$90.00 per exam. Additionally, research shows that the pricing offered is lower than OCC Health's \$564.65 per exam, San Bernardino Health and Wellness Center \$563.60 for males and \$616.60 for females per exam also UC Irvine Healthcare at \$750.00 per exam.*

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 additional contractual obligations are associated, unless current state and federal laws and regulations regarding this type of exam are changed. The use of County Occupational Health will be reevaluated at the end of the contract period.*

9. **Period of Performance:** *January 2013 to January 2014 and an option to renew for Four (4) one (1) year increments, based on price and ability to find same exact exam and services provided by another vendor at a reduced price.*

(Provide a defined period of performance. Please note multi-year terms require Board approval, unless renewable in one year increments and the Purchasing Agent approves the terms.)

Department Head Signature

2/11/13
Date

Purchasing Department Comments:

Approve

Approve with Condition/s

Disapprove

Not to exceed: \$75,000

One time

Annual Amount through _____

Purchasing Agent

2-16-13
Date

13-313
Approval Number
 (Reference on Purchasing Documents)