

FORM APPROVED COUNTY COUNSEL 3/11/15
 DATE
 BY: GREGORY P. PRIAMOS
 Departmental Concurrence
 Lisa Brandl, Director
 Teresa Summers
 PURCHASING & FLEET SERVICES
 4/12/15 for

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

109



SUBMITTAL DATE:
 03/12/15

FROM: Sheriff-Coroner-PA

SUBJECT: Approval of the first amendment to the Coroners Bureau's professional service agreements for Forensic Pathologists Services with Dr. Daryl Garber and Dr. Scott Luzi for five additional years. District All. [\$750,000 – General Fund 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve and execute the contract amendments with Dr. Daryl Garber and Dr. Scott Luzi for Forensic Pathologists services, from \$50,000 each contract to an aggregate cost not to exceed \$150,000 annually for both contracts as allocated by the Sheriff-Coroner-PA, for five years; and,
2. Authorize the Purchasing Agent, in accordance with Ordinance No. 459, based on the availability of fiscal funding, 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.

(Continued on Page 2)

FISCAL PROCEDURES APPROVED
 PAUL ANGULO, CPA, AUDITOR-CONTROLLER
 BY: Esteban Hernandez 4/9/15

Stan Sniff
 Sheriff-Coroner-PA
 Will Taylor, Dir. of Administration

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 150,000	\$ 750,000	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 150,000	\$ 750,000	\$ 0	

SOURCE OF FUNDS: General Fund 100%
Budget Adjustment: No
For Fiscal Year: 14/15 –19/20

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature BY: Elizabeth J. Olson

MINUTES OF THE BOARD OF SUPERVISORS

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.: 09/11/12 3.41 | **District:** All | **Agenda Number:**

3-32

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

FORM 11: Approval of the first amendment to the Coroners Bureau's professional service agreements for Forensic Pathologists Services with Dr. Daryl Garber and Dr. Scott Luzi for five additional years. District All. [\$750,000 – General Fund 100%]

DATE: 03/12/15

PAGE: Page 2 of 2 (BR 15-068)

BACKGROUND:

Summary

On September 11, 2012 (item 3.41) the Board approved three Forensic Pathologist contracts for \$50,000 each. Recently one of the doctors retired, Dr. Eugene Carpenter, and is no longer providing Forensic Pathologists services to the County of Riverside for post mortem examinations or autopsies. Dr. Carpenter's contract has a remaining balance of \$26,500. The current case load exceeds the fulltime Forensic Pathologist's capabilities, requiring the use of contract service providers. The Coroner's Bureau finds it necessary to allocate the remaining balance of \$26,500 from Dr. Carpenter's contract to the remaining two Forensic Pathologists as operational needs require.

The County's Chief Forensic Pathologist works together with a full-time staff of four Forensic Pathologists. However, due to 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.

The Coroner's Office is fortunate that it has found Doctors Garber and Luzi locally, and is requesting the Board continue the contracts with the doctors, due to the scarcity of Board certified Forensic Pathologists with experience in examinations for law enforcement in the State of California.

The Coroners Bureau has experience with Doctors Garber and Luzi. Dr. Garber has provided autopsy services to the County of Riverside since 1995 and Dr. Luzi since 2012.

No additional funds are needed and no budget adjustments are necessary.

Impact on Citizens and Businesses

The use of contractual Forensic Pathologists helps to prevent the delayed release of human remains to families and autopsy findings to criminal cases.

Price Reasonableness

The proposed contracts specify a fixed fee of \$550 per autopsy, which was instituted for the contract Forensic Pathologists in 2005. The total annual amount for both Doctors will not exceed \$150,000. In comparison, the County's annual pay range for a Forensic Pathologist IV is from \$162,846 to \$207,073. The contracting Pathologists will only be utilized when necessary with no total annual amount guaranteed.

Attachments

First amendment to the professional services agreement with Scott A. Luzi, M.D. (Three Originals)

First amendment to the professional services agreement with Darryl J. Gerber, M.D. (Three Originals)

COUNTY OF RIVERSIDE
AMENDMENT NO. 1 TO THE AGREEMENT
WITH
Darryl J. Garber, M.D.

Original Contract Term: 9/11/2012 through 6/30/2015
Effective Date of Amendment: 3/24/2015
Annual Maximum Contract Amount: \$ 150,000

The Agreement between Riverside County, herein referred to as COUNTY and Darryl J. Garber, M.D., herein referred to as CONTRACTOR, is amended as follows:


1. On page 1 of the Agreement, amend Section 2 the "Period of Performance":
To amend all reference to the Period of Performance from expiration of June 30, 2015 to a Period of Performance of July 1, 2015 through June 30, 2020, unless terminated as specified in Section 7 TERMINATION. All other terms of the Period of Performance in the Agreement shall apply.
2. On page 2 of the Agreement, amend Section 3 the "Compensation":
Compensation shall not exceed \$150,000 annually, including all expenses, based on the availability of fiscal funding.
3. All other terms and conditions of the Agreement are to remain unchanged.

IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this Amendment.

County
Clerk of the Board of Supervisors
4080 Lemon Street 1st Floor
Riverside, California 92501

Contractor
Darryl J. Garber, M.D.
P.O. Box 4545
PALM DESERT, CA.
92261

By: _____
Name: Marion Ashley, Chairperson

By: 
Name: Darryl J. Garber

Title: Riverside County Board of Supervisors Title: M.D.

Date: _____ Date: 3/30/15

FORM APPROVED COUNTY COUNSEL
BY: 
NEAL R. KIPNIS DATE