

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

427



FROM: Human Resources Department

SUBMITTAL DATE:
April 30, 2013

SUBJECT: Increase the purchasing cap for NCS Pearson Incorporated, by \$10,000 for FY 2012/13 for Assessment Services without securing competitive bids.

RECOMMENDED MOTION: That the Board of Supervisors approve a \$10,000 increase in the contract amount from \$25,000 to \$35,000 for NCS Pearson Incorporated, for the remainder of FY 2012/13 without obtaining competitive bids.

BACKGROUND: The Human Resources Department employs Law Enforcement Psychologists 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 1029 and 1031). The Law Enforcement Psychologist utilizes a battery of industry-standard instruments to conduct these psychological evaluations.

Barbara A. Olivier

Barbara A. Olivier
Asst. County Executive Officer/Human Resources Director

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 10,000	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2012/13

SOURCE OF FUNDS: 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: *Ivan M. Chand*

Ivan M. Chand 5/1/2013

County Executive Office Signature

Purchasing: *Mark Seiler*
 Departmental Concurrence
 Dept't Recomm.:
 Per Exec. Ofc.:

- Policy
- Policy
- Consent
- Consent

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Stone and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Stone and Ashley
 Nays: None
 Absent: Benoit
 Date: May 7, 2013
 xc: HR, Purchasing

Kecia Harper-Ihem
 Clerk of the Board
 By: *Kecia Harper-Ihem*
 Deputy

Prev. Agn. Ref.: 06/09/2009, 3.25 | District: All | Agenda Number:

3-25

BACKGROUND (Continued):


We employ 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 Sheriff and Probation Departments are increasing their efforts to hire public safety officers in the current fiscal year and beyond, creating a volume of psychological evaluations that have caused the annual cost for these instruments to exceed the Purchasing Agent's authority. The Human Resources Department requests approval to raise our purchasing cap \$10,000 for the remainder of FY 2012/13.

Date: May 1, 2013
From: Barbara A. Olivier Department/Agency: Human Resources
To: Board of Supervisors/Purchasing Agent
Via: Purchasing Agent
Subject: Sole Source Procurement; Request for NCS Pearson Inc.

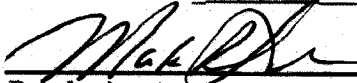
The below information is provided in support of my Department requesting approval for a sole source. Outside of a duly declared emergency, the time to develop a statement of work or specifications is not in itself justification for sole source.

1. **Supply/Service being requested:** Minnesota Multiphasic Personality Inventory-2 (MMPI-2), Symptom Checklist-90-Revised (SCL-90-R), Millon Clinical Multiaxial Inventory-Third Edition (MCMI-III), Alcohol Use Inventory (AUI) and Q Local Scoring and Reporting Software (Q Local).
2. **Supplier being requested:** NCS Pearson Inc.
3. **Alternative suppliers that can or might be able to provide supply/service:** None. NCS Pearson Inc. is the exclusively licensed distributor and sole source of the MMPI-2, SCL-90-R, MCMI-III, AUI, and Q Local. (See attached confirmation letter from NCS Pearson Inc.)
4. **Extent of market search conducted:** Extensive internet search conducted for alternate vendors. No alternate vendors were located. The University of Minnesota, developer of the MMPI, directs purchasing requests to NCS Pearson Inc., the exclusively licensed distributor of the MMPI (See attached web printout from the University of Minnesota Press).
5. **Unique features of the supply/service being requested from this supplier, which no alternative supplier can provide:** NCS Pearson Inc. is the exclusively licensed distributor and sole source of the MMPI-2, SCL-90-R, MCMI-III, AUI, and Q Local. (See attached confirmation letter from NCS Pearson Inc.)
6. **Reasons why my department requires these unique features and what benefit will accrue to the county:** The MMPI-2, SCL-90-R, MCMI-III, AUI and Q Local are critical tools utilized by our Law Enforcement Psychologist in performing pre-employment and fitness-for-duty psychological evaluations of Public Safety Officers and other high-stakes/risk positions. The requested products are the industry standard for the psychological assessment of public safety and sworn personnel.
7. **Price Reasonableness including purchase price and any ongoing maintenance or ancillary costs from the supplier:** We are purchasing from the exclusively licensed distributor of the required assessments.
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:** Three-year term, renewable in one year increments (ending on 06-30-2015)



Department Head Signature 4/30/13
Date

Purchasing Department Comments:

Approve Approve with Condition/s Disapprove
Not to exceed: \$ 35,000.00 X One time X Annual Amount through 06-30-2015


Purchasing Agent 4-30-13 13-466
Date Approval Number
(Reference on Purchasing Documents)