

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



ITEM: 3.51  
(ID # 15443)

MEETING DATE:

Tuesday, June 29, 2021

FROM: PROBATION:

**SUBJECT:** PROBATION DEPARTMENT: Ratify and Approve Amendment No. 2 to the Agreement with Pacific Toxicology Laboratories for Urine Drug Testing and Specimen Collection Services, without seeking competitive bids, All Districts. [Total Cost - \$555,000; up to \$55,500 in additional compensation; annually cost - \$185,000; 80% Probation General Fund, 20% State Funds]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Ratify and Approve Amendment No. 2 to Service Agreement PRARC-96148-001-06/19 with Pacific Toxicology Laboratories for Urine Drug Testing and Specimen Collection Services, without seeking competitive bids, to increase the annual agreement amount by \$106,000 from \$79,000 to \$185,000, extend the agreement term effective January 1, 2020 through June 30, 2022, and Authorize the Chair of the Board to sign the amendment on behalf of the County; and
2. Authorize the Purchasing Agent, in accordance with Ordinance No. 459, based on availability of fiscal funding and as approved as to form by County Counsel to: sign amendments that exercise the options of the Service Agreement including modifications of the statement of work that stay within the intent of the agreement, and sign amendments to the compensation provisions that do not exceed the sum total of ten percent (10%) of the total cost of the Service Agreement.

**ACTION:** Policy

  
Ronald L. Miller, Chief Probation Officer 6/10/2021

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Washington, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez, and Hewitt  
Nays: None  
Absent: None  
Date: June 29, 2021  
xc: Probation

Kecia R. Harper  
Clerk of the Board

By:   
Deputy



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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 185,000	\$ 185,000	\$ 555,000	\$ 0
<b>NET COUNTY COST</b>	\$ 148,000	\$ 148,000	\$ 444,000	\$ 0
<b>SOURCE OF FUNDS:</b> 80% Probation General Fund and 20% State Funds			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b> FY20/21- FY21/22	

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

One of the critical operational services required by Probation is urine drug testing and specimen collections. Regular routine and random drug testing of both adult and juvenile clients are conducted as a requirement of probation and court order. This process is conducted at multiple Probation office locations within the County, servicing clients by utilizing drug testing kits and/or a urine sample that is sent to a laboratory to confirm positive or negative result.

It is essential that the laboratory testing the samples, submitted by Probation, have the ability to provide chain of custody procedures for the handling of samples and utilize forensic testing procedures. On occasion when requested by the Court, the laboratory will be required to provide expert witness testimony. The current countywide contractor for laboratory testing cannot provide the required forensic testing, nor expert witness service.

The original Service Agreement PRARC-96148-001-06/19 between Probation and Pacific Toxicology Laboratories (Pacific Toxicology) was a piggy-back against the Department of Public Social Services (DPSS) agreement DPARC-96148-001-06/17. On May 8, 2019, Service Agreement PRARC-96148-001-06/19 was amended to extend the expiration date from June 30, 2019 to December 31, 2019 to continue the mission critical services. The intent of that amendment was to ensure mission critical services were provided, and to allow Probation to work with DPSS on establishing a new contract.

Due to DPSS mission critical needs, DPSS moved forward with presenting their DPSS-0000812 Agreement to the Board with Probation now to follow. Pacific Toxicology extended the same terms of the DPSS agreement for Urine Drug Testing and Collections to Probation.

**Impact on Residents and Businesses**

This agreement will provide the necessary services to meet the operational processes for the Probation Department.

**Additional Fiscal Information**

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

Funding for agreement will be budgeted through the normal County budget process. Funds for this agreement have been allocated for the FY2020/2021 and will be allocated for the FY2021/2022 budget. Budget adjustments will not be necessary.

**Contract History and Price Reasonableness**

A Request for Proposal (RFP) PUARC – 1337 for countywide clinical lab services was released in 2013. Pacific Toxicology Laboratories (Pacific Toxicology) was determined to be the lowest responsive responsible bidder. The County entered into a contract with Pacific Toxicology which provided services for nearly five years.

Probation seeks Board approval for a Urine Drug Testing and Specimen Collection Service Amendment to the Service Agreement with Pacific Toxicology, without seeking competitive bids due to requiring special as-needed forensic and expert witness testimony services. The current company the County has contracted with under a cooperative agreement does not perform these specialized services.

The Purchasing and Fleet Services Department shall work with County Departments, such as Probation and DPSS, to process a formal competitive bid for future Urine Drug Testing and Specimen Collection Services prior to contract expiration on June 30, 2022.

**ATTACHMENTS:**

Pacific Toxicology Laboratories Service Amendment No. 2

  
Tina Grande, Director of Purchasing and Fleet Services 6/16/2021

  
Cherilyn Williams 6/23/2021

  
Gregory L. Priamos, Director County Counsel 6/17/2021





Use this form to submit a single or sole source requisition for review by your Buyer and/or Procurement Contract Specialist. All procurements valued **\$5,000 or more** must seek competitive bids from a minimum of three suppliers, or the expectation that three or more suppliers will respond, or be justified by a Single/Sole Source. All purchases exceeding **\$50,000** require a formal public bid. Procurement's may not be artificially segregated to lesser dollar amounts for the purpose of bypassing this requirement.

Sole/Single Source service requests that are greater than **\$50,000** require additional Board of Supervisors approval.

### Supplier Details

**Vendor** Pacific Toxicology Laboratories  
**Fulfillment Address** SCorp - Medical: (preferred)  
 PacTox  
 9348 De Soto Ave  
 Chatsworth, California 91311 United States

### Distribution

The system will distribute purchase orders using the method(s) indicated below:

Check this box to customize order distribution information. ☒

Contract

### Background Information

**Please indicate if this is a single or sole source below**

Single Source

**Have you previously requested and received approval for a sole/single source request for this vendor for your department?**

No

**If selected "yes", please provide the approved SSJ# below**

SSJ#

**If selected "yes", was the request approved for a different project?**

No

### Purchase Details

#### 1. Supply/Service being requested:

Urine Drug Testing and Collection Services for Probation

#### 2. Unique features of the supply/service being requested from this supplier, which no alternative supplier can provide:

In 2013, County Purchasing released a countywide Request for Proposal (RFP), PUARC-1337, for county-wide clinical lab services. for the drug testing and specimen collection services required Pacific Toxicology (Pac Tox) was determined to be the lowest, responsive, responsible bidder. In 2018, the Probation Department submitted a Form-11 to the Board of Supervisors to piggy-back off existing contract between Pac Tox and DPSS, Children Services Division. Under the current contract which expired December 31,

### Current Year Cost

#### 6. Identify all costs for this requested purchase.

You do not need to include previous fiscal year amounts. If approval is for multiple years, ongoing costs must be identified below. If annual increases apply to ongoing costs such as CPI or other contract increases, provide the estimated annual cost for each consecutive year. If the annual increase may exceed the Purchasing Agent's authority, Board approval must be obtained.

**Describe** all current fiscal year costs associated with this procurement in the box below. Insert all one time costs associated with this project in the table below.



**Current Year Cost Total:****0.00****Supporting Documentation**

If this request is for professional services, attach the service agreement to this sole source request. The Purchasing Agent, or designee, is the signing authority for agreements unless the service is exempted by Ordinance 459, Board delegated authority or by State law.

Additional supporting documentation includes:

- Previously approved SSJ's
- other

For all other requests, attach the vendor's cost proposal

Internal Attachments

**Purchasing Approval**

	Approved by	Date Approved	Approval Conditions/Comments
<b>This section to be filled out by Purchasing Management only upon approval.</b>	Suzanna Hinckley	6/9/2021	Conditionally approved. Requires BOS ratification/approval. RFP Required before 6/30/2022. No further extensions will be approved.

**Total****0.00**

COUNTY OF RIVERSIDE  
AMENDMENT NO. 2 TO THE AGREEMENT  
WITH  
Pacific Toxicology Laboratories

Original Contract Term:	04//10/2018 through 06/30/2019
Contract Term Extended To:	06/30/2022
Effective Date of Amendment:	01/01/2020
Original Annual Maximum Contract Amount:	\$157,000
Amended Annual Maximum Contract Amount:	\$185,000
Contract ID:	PRARC-96148-001-06/19

This Amendment No. 2 to the Agreement is entered into by and between County of Riverside (COUNTY), and Pacific Toxicology Laboratories, a California corporation (CONTRACTOR), effective January 1, 2020.

WHEREAS, COUNTY and CONTRACTOR entered into that Service Agreement for Urine Drug Testing and Collection Services, effective April 10, 2018 through June 30, 2019 ("the Agreement"); and

WHEREAS, COUNTY and CONTRACTOR entered into that Amendment No. 1 to the Agreement, effective July 1, 2019, to extend the period of performance of the Agreement through December 31, 2019 ("the First Amendment"); and

WEHREAS, COUNTY and CONTRACTOR now desire to ratify and amend the Agreement to extend the period of performance from January 1, 2020 through June 30, 2022.

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, COUNTY and CONTRACTOR agrees as follows:

1. The above recitals are true and correct, and are incorporated herein by reference.
2. The first sentence of section 2.1 of the Agreement ("Period of Performance") is deleted in its entirety and replaced with the following: "This Agreement shall be effective April 10, 2018 and continues in effect through June 30, 2022, unless terminated earlier."
3. Exhibit B (Payment Provisions) is deleted in its entirety and replaced with the attached Exhibit B-1.
4. All other terms and conditions of the Agreement not modified herein shall remain unchanged.
5. The Effective Date of this Amendment No. 2 is January 1, 2020.
6. This Amendment No. 2 may be executed in any number of counterparts, each of which will be an original, but all of which together will constitute one instrument. Each party of this Amendment agrees to the use of electronic signatures, such as digital signatures that meet the requirements of the California Uniform Electronic Transactions Act ("CUETA") Cal. Civ. Code §§ 1633.1 to 1633.17), for executing this Amendment. The parties further agree that the electronic signatures of the parties included in this Amendment

Form #116-311 Revision Date: 01/13/2016

County of Riverside Purchasing and Fleet Services  
2980 Washington Street Riverside, CA 92504  
Telephone: (951) 955-4937

JUN 29 2021 3.31



COUNTY OF RIVERSIDE  
AMENDMENT NO. 2 TO THE AGREEMENT  
WITH

Pacific Toxicology Laboratories

are intended to authenticate this writing and to have the same force and effect as manual signatures. Electronic signature means an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record pursuant to the CUETA as amended from time to time. The CUETA authorizes use of an electronic signature for transactions and contracts among parties in California, including a government agency. Digital signature means an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature, and shall be reasonably relied upon by the parties. For purposes of this section, a digital signature is a type of "electronic signature" as defined in subdivision (i) of Section 1633.2 of the Civil Code.

IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this Amendment No. 2.

COUNTY OF RIVERSIDE, a political  
subdivision of the State of California

By: Karen S. Spiegel  
Karen Spiegel, Chair  
Board of Supervisors

Dated: JUN 29 2021

PACIFIC TOXICOLOGY  
LABORATORIES, a California  
corporation

By: [Signature]  
Jeff Lanzolatta  
Chief Executive Officer

Dated: 6/17/21

ATTEST:

Kecia Harper  
Clerk of the Board

By: [Signature]  
Deputy

APPROVED AS TO FORM:

Gregory P. Priamos  
County Counsel

By: [Signature]  
Lisa Sanchez,  
Deputy County Counsel

COUNTY OF RIVERSIDE  
AMENDMENT NO. 2 TO THE AGREEMENT  
WITH  
Pacific Toxicology Laboratories

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**EXHIBIT B-1**

**PAYMENT PROVISIONS**

1. Pricing for Urine Drug Testing and Specimen Collections Services:

Description of Service	Unit of Measure	Cost
9-Panel Drug Testing panel-Urine Screen and confirm Positives (Includes: Amphetamine, Cocaine, Opiates, Marijuana, Phencyclidine, Barbiturates, Benzodiazepines, Methadone, Propoxyphene)	1 each 9-Panel	\$ 23.00
Marijuana-Confirmation-Urine – GC MS	1-each	\$ 23.00
Add on test only: Alcohol-Urine-Screen and confirm Positives (cannot be processed as a single test, must be an additional test request with the 9-Panel Drug Testing or Marijuana Confirmation)	1 each	\$ 7.50
Expert Witness – Includes: testimony, case review, and travel (given the distance, CONTRACTOR charge only for one-way travel to Riverside.	Per Hour	\$215.00
6- Panel Drug Testing – Oral fluid Quantitative(Includes: COC THC OPI M-AMP AMP PCP)	1 each	\$ 45.00