

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

June 11, 2024

FROM

SHANNON D. DICUS, Sheriff/Coroner/Public Administrator

SUBJECT

Amendment to Contract with National Medical Services, Inc., dba NMS Labs to Provide Postmortem Forensic Toxicology Services

RECOMMENDATION(S)

1. Approve **Amendment No. 1 to Contract No. 21-742** with National Medical Services, Inc., for the provision of postmortem forensic toxicology services, increasing the contract amount by \$1,340,000, from \$1,200,000 to a total amount not to exceed \$2,540,000, and exercising the option to extend the term by two years, for a total contract period of October 1, 2021 through September 30, 2026.
2. Authorize the Sheriff/Coroner/Public Administrator to execute change orders to Contract No. 21-742, as needed, subject to review by County Counsel, with an increase in amount not to exceed \$100,000 per change order, so long as the total aggregate amount of such change orders does not exceed 20% of the total contract amount (\$508,000), and the change orders do not amend the contract term.
3. Direct the Sheriff/Coroner/Public Administrator to transmit all change orders to the Clerk of the Board of Supervisors within 30 days of execution.
(Presenter: Kelly Welty, Chief Deputy Director, 387-3760)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

Provide for the Safety, Health and Social Service Needs of County Residents.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The annual cost of postmortem forensic toxicology services in the amount of \$550,000 is included in the Sheriff/Coroner/Public Administrator's (Department) 2024-25 recommended budget (4430001000) and will be included in future recommended budgets.

BACKGROUND INFORMATION

The Department's Coroner Division (Coroner) is responsible for investigating all deaths that occur within the County; this includes determining the cause of death and clarifying all circumstances surrounding or pertaining to the manner of death of a decedent. The Coroner utilizes postmortem forensic toxicology services in approximately 95% of its estimated 2,500 autopsies per year in conjunction with autopsy findings to formulate a medical conclusion as to a decedent's cause of death.

**Amendment to Contract with National Medical Services, Inc., dba NMS
Labs to Provide Postmortem Forensic Toxicology Services
June 11, 2024**

On October 5, 2021 (Item No. 49), the Board of Supervisors (Board) awarded Contract No. 21-742 to National Medical Services Inc., dba NMS Labs (NMS) to provide postmortem forensic toxicology services in an amount not to exceed \$1,200,000 for the period of October 1, 2021 through September 30, 2024, with the option to extend the term for two one-year periods or one two-year period.

Change orders in the amount of \$240,000 were approved between the period of October 1, 2021 through May 7, 2024. On June 3, 2022, Change Order No. 1 was approved in the amount of \$100,000. On August 7, 2023, Change Order No. 2 was approved in the amount of \$85,000. On March 27, 2024, Change Order No. 3 was approved in the amount of \$55,000. The change orders were necessary to address an increase in expenses due to a higher number of autopsies during those periods, and the need to test for more complex drugs such as Fentanyl and other synthetic drugs.

Approval of Recommendation No. 2 will allow the Sheriff/Coroner/Public Administrator to authorize increases, up to \$100,000 per change order, to the estimated annual cost for forensic toxicology services that, due to unforeseen circumstances, might require a higher number of requests for analysis of samples in a particular year during the term of the contract.

PROCUREMENT

On June 14, 2021, Request for Proposals (RFP) No. SHR121-ADMSR-4125 was approved and released through San Bernardino County's electronic Procurement Network (ePro) for the provision of postmortem forensic toxicology services. National Medical Services Inc., dba NMS Labs (NMS), was the only vendor to respond to the solicitation.

The Purchasing Department concurs with exercise of the one two-year extension to the original contract term to avoid any lapse in the provision of postmortem forensic toxicology services through September 30, 2026. Either party may terminate the agreement upon 30 days' advance written notice.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Grace B. Parsons, Deputy County Counsel, 387-5455) on May 16, 2024; Purchasing (Jason Cloninger, Lead Buyer, 387-0321) on May 10, 2024; Finance (Erika Rodarte, Administrative Analyst, 387-4919) on May 24, 2024; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on May 24, 2024.

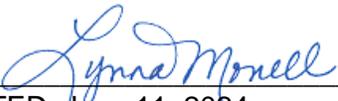
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Curt Hagman
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY  _____
DATED: June 11, 2024



cc: Sheriff - Welty w/agree
Contractor - c/o Sheriff w/agree
File - w/agree
CCM 06/27/2024