

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

October 5, 2021

FROM

SHANNON D. DICUS, Sheriff/Coroner/Public Administrator

SUBJECT

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

RECOMMENDATION(S)

1. Approve **Contract No. 21-742** with National Medical Services, Inc., dba NMS Labs for the provision of postmortem forensic toxicology services in a not to exceed amount of \$1,200,000 for the period of October 1, 2021 through September 30, 2024, with the option for two additional one-year extensions, or one additional two-year extension to the original term.
2. Authorize the Sheriff/Coroner/Public Administrator to execute change orders to the Contract, 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 do not exceed 20% of the total Contract amount (\$240,000), and the change orders do not amend the Contract term.
3. Direct the Sheriff/Coroner/Public Administrator to transmit all documents in relation to such change orders to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: John Ades, Deputy Chief, 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 additional Discretionary General Funding (Net County Cost). The annual cost of postmortem forensic toxicology services in the amount of \$400,000 is included in the Sheriff/Coroner/Public Administrator's (Department) 2021-22 budget (4430001000). Sufficient appropriation to fund the remaining contract amount 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 their 1,900 autopsies

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per year in conjunction with autopsy findings to formulate a medical conclusion as to the cause of death of a decedent.

Approval of Recommendation No. 2 will allow for the Sheriff/Coroner/Public Administrator to authorize increases, up to \$100,000, 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. The RFP was posted for 30 days and 205 registered vendors were notified of the RFP via e-mail. National Medical Services Inc., dba NMS Labs (NMS Labs) was the only vendor to respond to the solicitation.

A committee consisting of three representatives from the Coroner evaluated the proposal. The evaluation was based upon the proposer's qualifications, financial statements, professional references, and proposed fees. As a result, NMS Labs, is recommended for contract award, having demonstrated the ability to meet the needs of the County. No protests or appeals were received.

The contract is being submitted to the Board of Supervisors for approval at the earliest available meeting, after additional negotiations and the required legal and financial reviews were completed. To avoid any lapse in the provision of postmortem forensic toxicology services, the recommended contract term is three years, commencing October 1, 2021 through September 30, 2024, with the option to extend the term by two additional one-year periods, or one additional two-year period. Either party may terminate the agreement upon 30 days written notice.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Richard D. Luczak, Deputy County Counsel, 387-5455) on September 8, 2021; Purchasing (Michael Candelaria, Lead Buyer, 387-2060) on August 19, 2021; Finance (Carolina Mendoza, Administrative Analyst, 387-0294) on September 14, 2021; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on September 14, 2021.

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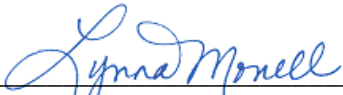
Record of Action of the Board of Supervisors
San Bernardino County

DEFERRED/APPROVED

Moved: Janice Rutherford Seconded: Joe Baca, Jr.

Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: October 5, 2021



cc: Sheriff - Welty w/agree
Contractor - C/O Sheriff w/agree
File - w/agree

CCM 10/12/2021