



SUMMARY REPORT

Agenda Date: 4/13/2021

To: Board of Supervisors of Sonoma County
Department or Agency Name(s): Department of Health Services
Staff Name and Phone Number: Barbie Robinson, 565-7876
Vote Requirement: Majority
Supervisorial District(s): Countywide

Title:

Emergency Medical Services Exclusive Operating Agreement Request for Proposal (RFP) Requirements

Recommended Action:

- A) Review the Matrix of Public Comments and Staff responses and Recommendations.
- B) Approve changes to be incorporated into the RFP.
- C) Approve the RFP for submission to California Emergency Medical Services Authority (EMSA).

Executive Summary:

On March 23, 2021 the Board of Supervisors deliberated on the proposed components of the draft RFP for Exclusive Operating Area #1 (EOA 1) for the purposes of submitting the RFP to the California EMS Authority for approval based on the provision of Sonoma County Code Chapter 28-17, adopted by the Board on November 12, 2019. Staff were directed to expand the boundaries of EOA 1 to include the service zone incorporating the West County community of Occidental and surrounding area that was vacated by previous ambulance provider Verihealth/Falck in July 2020. Staff were also directed to negotiate with Bell's Ambulance to establish a second EOA per Health and Safety Code §1797.224. Staff will return at a future date to seek contracting approval from the Board.

Given the number of comments at the March 23, 2021 meeting, staff were also directed to further coordinate with the EMS Ad Hoc to review the comments received and return with any recommended changes to the draft RFP. To accomplish this task, staff have developed a matrix of the comments, included as Attachment 1. The matrix was reviewed with the EMS Ad Hoc and summarizes all the comments received, staff responses, and changes that are recommended in response to public comment.

The Draft RFP reviewed by the Board on March 23 has been revised to reflect the recommended changes with the additions highlighted in red to make it easier for the Board and public to follow.

Discussion:

Division 2.5 of the California Health and Safety Code (HSC) "the EMS Act" § 1797.224 allows Local EMS Agencies (LEMSAs) to enter into formal agreements for provision of ambulance service through the creation of Exclusive Operating Areas (EOAs). HSC 1797.224 states:

A local EMS agency may create one or more exclusive operating areas in the development of a local plan, if a competitive process is utilized to select the provider or providers of the services pursuant to the plan. No competitive process is required if the local EMS agency develops or implements a local plan that continues the use of existing providers operating within a local EMS area in the manner and scope in which the

services have been provided without interruption since January 1, 1981. A local EMS agency which elects to create one or more exclusive operating areas in the development of a local plan shall develop and submit for approval to the authority, as part of the local EMS plan, its competitive process for selecting providers and determining the scope of their operations. This plan shall include provisions for a competitive process held at periodic intervals. Nothing in this section supersedes Section 1797.201.

Sonoma County designates the Department of Health Services as the LEMSA for Sonoma County. Within the Department, EMS Agency functions are the responsibility of Coastal Valleys EMS Agency which is organized within the Public Health Division of the Department. Sonoma County will be conducting its fourth request for proposals (RFP) since developing an exclusive operating area (EOA) in 1991. The existing EOA serves the cities of Santa Rosa, Sebastopol, Rohnert Park, Cotati, and the surrounding unincorporated areas. The current emergency ambulance agreement has been extended to June 30, 2022.

The County's EMS system participants: fire departments, ambulance providers, hospitals, and community leaders were provided an opportunity to provide input into the next ambulance RFP. Although the EOA as currently designated covers the densely populated center of the County, and the majority of Sonoma County's 911 calls occur within that zone, much more of the geography of Sonoma County is outside of the EOA. The EOA is surrounded by a mix of provider agencies including city and district fire service providers that provide ambulance service, a community services district and a healthcare district as well as two private ambulance services. The agencies that provide service to their local communities rely on each other for mutual support and routinely collaborate with their neighbors on system issues that affect the entire County. Coastal Valleys EMS Agency (CVEMSA) and the Department of Health Services created an Emergency Medical Services EOA Development Project committee in early 2018. The purpose of the committee was to receive input from interested stakeholders on the proposed structure of the LEMSA's RFP. The goal is to inform the development of the RFP for Advanced Life Support (ALS) and emergency medical services within the Sonoma County EOA. The committee also provided valuable input into an updated EMS System Ordinance. Oversight of the ordinance revision process was provided by an EMS Ad Hoc committee established by the Sonoma County Board of Supervisors. The EMS Ad Hoc met regularly with Department leadership and EMS Agency staff to provide guidance and policy direction. The Ordinance was adopted by the Sonoma County Board of Supervisors in November 2019.

Sonoma County Department of Health Services requested the services of EndPoint EMS Consulting, LLC (EndPoint) in October 2019 to assist CVEMSA and the County in completing the stakeholder process, produce an RFP, and assist in the negotiations of an agreement with the successful proposer. EndPoint mapped out a three-phase process to achieve the goals of the County. Phase One comprises a high-level system assessment and stakeholder input process. Phase Two, the ambulance EOA procurement process, and Phase Three develop a contract for services with the awarded provider. Endpoint completed Phase One in July of 2021 and based on stakeholder input and deliberations with Sonoma County Board of Supervisors' EMS Ad Hoc committee and Department of Health Services leadership and EMS Agency staff have developed a draft RFP for Consideration by the full Board of Supervisors.

In the process of working with stakeholders and county staff, a number of key areas of stakeholder interest were identified by the consulting team. In the RFP input sessions, Stakeholders expressed support for a more inclusive range of potential vendors to include public agencies seeking to complete, allowing for subcontracting of portions of the service delivery by the winning bidder and potential expansion of the EOA boundary. Advances in technology and the ability to leverage EMS data to drive quality improvement were also areas of interest to both stakeholders and staff. Setting expectations for clinical performance in addition

to response time performance formed part of the conversation with stakeholders. Finally limiting the exclusivity of the EOA to emergency ambulance services while allowing non-emergency ambulance services to market services to health system partners was a view shared by our hospital systems. These areas of interest for improving the system were supported by the EMS Ad Hoc and were incorporated into the draft RFP.

Board Direction Following Public Comment

Following the presentation of the draft RFP to the Board of Supervisors on March 23, 2021, staff were directed to respond to a series of public comments made by system stakeholders on the draft. Staff brought revision recommendations to the EMS AdHoc for approval and for submission to the Board for final approval prior to seeking state approval of the competitive process required by HSC 1797.224.

The Board also provided direction to revise the EOA boundary included in the AdHoc recommendation on March 23, 2021 to exclude the proposed northern expansion of the EOA into the area currently and historically served by Bell's Ambulance Service. Staff will commence negotiations with Bell's utilizing the direction from the Board to establish a second EOA per Health and Safety Code §1797.224. The revised boundary proposed for submission to the California EMS Authority is reflected in the draft RFP to include the current EOA 1 zone and adding the West County community of Occidental and surrounding area noted in the 2018 EMS Plan VeriHealth (Falck) that has been vacant of a designated primary ambulance responder since June of 2020.

The EMS Ad Hoc committee has expressed support for the terms, conditions, and performance expectations proposed in the draft RFP including the most recent revisions.

Recommended Revisions to the RFP

Staff have developed a matrix of the public comments received during the March 23 meeting. The matrix also includes staff responses and recommendations that were developed based on Board deliberations as to whether or not a change to the RFP is in order. The matrix was reviewed with the EMS Ad Hoc, which has approved the following revisions to the RFP based on input received during the public comment from the March 23, 2021 presentation.

- 1) The RFP evaluation process will be open to all proposers without a pre-qualification for minimum requirements.** Sonoma County Fire District and the City of Santa Rosa expressed concern that the RFP listed minimum qualifications that must be met by both a proposer and any subcontractor that may disadvantage public sector proposals. Typically, minimum qualifications are established to limit the number of proposals the review committee would need to review. The EMS Ad Hoc supports a process that allows all proposers to have their proposals evaluated for capability and capacity to provide the services required in the RFP. Moving the evaluation of capability and capacity to the multidisciplinary team chosen in accordance with Sonoma County Code Chapter 28-17 will allow all proposers equal access to the transparent review process.
- 2) Incumbent workforce provisions strengthened.** Both current EOA Contractor AMR and the labor union representing their employees expressed concern the RFP language did not provide adequate incumbent workforce protections to ensure the EMTs and paramedics currently serving the community are retained under any new provider. The Both the Board and EMS Ad Hoc have expressed support for stronger language that encourages the continuance of wages and benefits the current contractor and employee union have negotiated in a collective bargaining agreement. Additional points in the proposal evaluation scoring tool have been allocated to support the stronger stance toward incumbent workforce

retention.

- 3) **Santa Rosa First Response ALS (FRALS) payments adjusted.** The City of Santa Rosa commented that the figure of \$425,000.00 annually for support of the City FRALS program represented a reduction in funding from the current agreement. The amount has been adjusted to be consistent with the current level of support.
- 4) **Addressed Labor concerns regarding ambulance safety and ergonomics.** AMR employees union expressed concern that the Ford Transit was not specifically disqualified as a potential vehicle platform for contractor ambulance vehicles. The union identified issues with the platform suitability for all employees' physical requirements and requested the next contract restrict the contractor from deploying Transit-based ambulances in the fleet proving service in the EOA. The RPP has been modified to remove the current Ford Transit as an acceptable vehicle platform.
- 5) **Support for local EMS student priority placement added.** Santa Rosa Junior College identified missing language regarding priority placement of EMS trainees from local schools. This was an oversight and has been corrected in the draft RFP.
- 6) **Estimated cost table revised.** The City of Santa Rosa, Sonoma County Fire District and AMR each identified some concerns regarding the contract oversight costs and estimated charges for services in the RFP. The draft RFP has been revised to reflect the decrease in contract oversight costs related to the removal of the northern expansion from the draft. The table also includes corrected estimates for REDCOM dispatch charges.
- 7) **Call data updated.** AMR offered additional call data; the relevant section in the RFP has been updated to include this information.

Estimated Costs:

The Contractor will pay the following service charges as estimated below annually:

Estimated Annual Services	
EMS Agency Oversight & Monitoring Services	\$550,000
FirstWatch, OCU, FirstPass Annual	\$55,000
FirstWatch, OCU, FirstPass Initial	\$140,000
REDCOM	\$1,758,000
ImageTrend ePCR System	\$45,000
ALS First Responder Services (approx.)	\$551,000
Selected Contractor One Time Initial Charge	\$200,000

Fiscal Comments

Both Sonoma County Fire District and the City of Santa Rosa expressed concern regarding the increase in annual costs associated with the RFP. The County must recover costs associated with the agreement oversight and system monitoring and has made such provision in Sonoma County Code chapter 28-14. Some of the cost increase is related to new technology. The RFP moves patient care reporting and performance monitoring onto software platforms under County supervision. This is intended to improve transparency and accountability over current vendor-supported proprietary systems. The proportionate costs for these systems are estimated

in the RFP. Other costs identified in the RFP are related to cost recovery for other entities such as REDCOM charges for dispatch and connectivity and FRALS support paid to the City of Santa Rosa.

Prior Board Actions:

On March 23, 2021 the Board deliberated on the proposed components of the draft RFP for Exclusive Operating Area #1 (EOA 1) for the purposes of submitting the RFP to the California EMS Authority for approval based on the provision of Sonoma County Code Chapter 28-17, adopted by the Board on November 12, 2019.

On October 22, 2019 the Board approved an agreement with Endpoint EMS Consulting, LLC for subject matter expertise and support in developing a request for proposals for an exclusive provider of emergency ground ambulance services in an amount not-to-exceed \$161,000 through December 31, 2021.

On May 21, 2019 the Board approved the third amendment to an agreement with American Medical Response West for emergency ground ambulance services, providing for an extension of the term through June 30, 2022 with an additional two one-year options and authorizing service rate increases effective July 1, 2019.

On May 8, 2018 the Board authorized the Chair to submit a letter expressing County support for a one-year extension request of the California Emergency Medical Services Authority for the Exclusive Operating Area Ambulance Services Agreement covering central Sonoma County and work with the area's Assembly members and State Senator to support this request.

On December 16, 2008 the Board approved the Emergency Ground Ambulance Services Agreement with American Medical Response West.

FISCAL SUMMARY

Expenditures	FY 20-21 Adopted	FY 21-22 Projected	FY 22-23 Projected
Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures	0	0	0
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources	0	0	0

Narrative Explanation of Fiscal Impacts:

There are no fiscal impacts directly associated with this item.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Agenda Date: 4/13/2021

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Narrative Explanation of Staffing Impacts (If Required):

None

Attachments:

Attachment 1 - Matrix of Comments and Recommendations

Attachment 2 - Draft Request for Proposals

Related Items “On File” with the Clerk of the Board:

None