



SUMMARY REPORT

Agenda Date: 12/6/2022

To: Board of Supervisors

Department or Agency Name(s): Sheriff's Office

Staff Name and Phone Number: Melissa MacDonald, 565-3922

Vote Requirement: Majority

Supervisory District(s): Countywide

Title:

Agreements for Forensic Toxicology Services

Recommended Action:

Authorize the Sheriff-Coroner to execute agreements with NMS Labs and Axis Forensic Toxicology for the term of January 1, 2023 to December 31, 2025 for an annual amount not to exceed \$120,000 per vendor, per year, with the option to extend for two additional one-year terms.

Executive Summary:

The Sheriff's Office requests the Board's authorization for the Sheriff to execute agreements for Forensic Toxicology Services with NMS Labs and Axis Forensic Toxicology for the term of January 1, 2023 to December 31, 2025, with the option to extend each agreement for two additional one-year terms, not to exceed \$120,000 per vendor, per year. NMS rates for FY 23-24 represent an increase of roughly 6% over FY 22-23 rates. Axis Forensic rates for FY 23-24 are comparable to the rates currently paid by the Sheriff's Office in FY 22-23. The Sheriff's Office FY 23-24 Requested Budget will account for increased rates for these services.

Discussion:

The Sheriff's Coroner Bureau is responsible for investigating, determining, and certifying circumstances, manner, and cause pertaining to all violent, sudden, unusual, or unattended deaths within Sonoma County. Forensic toxicology laboratory tests measure drug and/or alcohol levels in a deceased person at the time of death. This information is critical for the completion of the "cause of death" investigation. The Sheriff's Coroner's Bureau contracts for forensic toxicology testing services because the Bureau does not have the facilities, equipment, or qualified professionals needed to conduct forensic toxicology testing.

The Sheriff's Coroner Bureau has used NMS labs for toxicology testing services since July 1, 2011 and has been satisfied with the vendor's performance. The current Agreement with NMS expires on December 31, 2022. A Request for Proposals was issued August 18, 2022 with proposals due September 22, 2022. Proposals from NMS Labs and Axis Forensic Toxicology were the only proposals received through the RFP process. The proposals were evaluated by a three-member panel that included Sheriff's Office fiscal and operations staff, as well as an investigator from the District Attorney's Office.

The proposals from NMS Labs and Axis Forensic Toxicology both received high marks from the evaluation panel. Both companies have expertise and accreditation, along with having significant experience providing similar services to law enforcement agencies. As such, the evaluation panel recommended the Sheriff award

agreements to both vendors for forensic toxicology services. The proposed Agreements cover January 1, 2023 through December 31, 2025, with the option to extend for two additional one-year terms.

Strategic Plan:

N/A

Prior Board Actions:

12/13/2017 - Board approved Agreement with NMS Labs, Inc. for Forensic Toxicology Services

06/24/2014 - Board approved Amendment No 2. To the Agreement with NMS Labs, Inc. for Forensic Toxicology services

06/12/2012 - Board approved Amendment No.1 to the Agreement with NMS Labs, Inc. for Forensic Toxicology Services

06/22/2010 - Board approved Agreement with NMS Labs, Inc. for Forensic Toxicology Services

FISCAL SUMMARY

Expenditures	FY 22-23 Adopted	FY23-24 Projected	FY 24-25 Projected
Budgeted Expenses	\$61,169	\$63,004	\$64,894
Additional Appropriation Requested			
Total Expenditures	\$61,169	\$63,004	\$64,894
Funding Sources			
General Fund/WA GF	\$61,169	\$63,004	\$64,894
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources	\$61,169	\$63,004	\$64,894

Narrative Explanation of Fiscal Impacts:

Forensic toxicology testing is an annual Coroner operating cost. The Sheriff's Office FY 22-23 adopted budget includes \$61,169 for toxicology testing, which is based on the three-year historical average. Actual expenditures vary based upon the number of decedents requiring testing, the types and quantity of tests needed, and the vendor's test fees. The estimated cost of services to be provided in FY 22-23 under the new agreements is \$32,348, which represents six months of service. Total cost for these services are expected to be within the budgeted appropriations for FY 22-23. No additional funding is requested at this time. NMS rates for FY 23-24 represent an increase of roughly 6% over FY 22-23 rates. Axis Forensic rates for FY 23-24 are comparable to the rates currently paid by the Sheriff's Office in FY 22-23. The FY 23-24 projected costs are based on the average of three prior years of toxicology expenses, and account for increased rates for these services. The fiscal table assumes equal usage of both contracts, resulting in an estimated 3% annual rate increase over the FY 22-23 rates.

Each agreement has an annual not-to-exceed amount of \$120,000 to account for vendor rate increases, and the potential of increased workload. The Coroner's Bureau could be impacted by unknown large-scale events,

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such as pandemics, epidemics, or other natural disasters. The annual not-to-exceed amount of \$120,000 ensures that staff will be able to continue critical operations without needing to amend the agreement in the event of a large-scale event. If the County experiences a catastrophic event requiring services beyond those included in the budget, the Sheriff's Office will consult with the County Administrator's Office and may return to the Board to request additional appropriations if necessary.

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

Narrative Explanation of Staffing Impacts (If Required):

There are no staffing impacts.

Attachments:

NMS Labs - Agreement for Forensic Toxicology Services

Axis Forensic - Agreement for Forensic Toxicology Services

Related Items "On File" with the Clerk of the Board:

N/A