



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 6/6/2023

To: Sonoma County Board of Supervisors
Department or Agency Name(s): Department of Health Services
Staff Name and Phone Number: Tina Rivera, 707-565-4774
Vote Requirement: Majority
Supervisory District(s): Countywide

Title:

Emergency Medical Services Exclusive Operating Agreement RFP Results and Recommendation

Recommended Action:

- A) Authorize the Director of Health Services, or designee, to execute a 5-year contract for emergency ground ambulance service in Sonoma County Exclusive Operating Area 1 with Sonoma County Fire District in a form approved by County Counsel that includes an option to extend for an additional 5 years.
- B) Adopt a Resolution Making Certain Findings and Adopting the County of Sonoma's Written Policy Regarding Emergency Ambulance Services Contracts Pursuant to Health and Safety Code Section 1797.230.

Executive Summary:

Division 2.5 of the California Health and Safety Code (HSC) "the EMS Act" § 1797.224 allows Local EMS Agencies (LEMSA) to enter into formal agreements for provision of ambulance service through the creation of Exclusive Operating Areas (EOA). Sonoma County Code of Ordinances, Section 28-4(a), designates the Department of Health Services (DHS) as the LEMSA for Sonoma County. The EMS Act specifies that to maintain the exclusivity of the EOA, the LEMSA must select the ambulance service provider serving the EOA through a competitive request for proposal (RFP) process.

The current contract to provide ambulance service to EOA-1 will expire on January 15, 2024. In anticipation of the contract expiration, an RFP was developed with substantial Board and EMS Stakeholder input. The RFP was approved for release by the Board on October 18, 2022 and issued to potential proposers on November 3, 2022. The proposal due date was March 1, 2023, and the County Purchasing Unit received two proposals on that date: one from American Medical Response West, and one from the Sonoma County Fire District. Between March 6, 2023, and April 20, 2023, an RFP Review Committee evaluated and scored the two proposals resulting in a recommendation by the Committee to the Director of DHS.

Based on receiving the highest score during the evaluation process, the RFP Review Committee recommended Sonoma County Fire District as the successful proposer. Sonoma County Fire District's proposal demonstrates their ability to provide safe, effective, and equitable ground ambulance service in Sonoma County's EOA-1. Their proposal includes a commitment to work with the County on developing innovative improvements to the EMS system of care as well as a commitment to working with system partners to optimize compliance with the objectives of the County and the Triple-Aim goals of the state. After considering the Committee's recommendation, the County issued a Notice of Intent to Award naming Sonoma County Fire District as the

highest scoring proposer. The Director recommends that the Board of Supervisors authorize the Director of Health Services to execute a five-year contract with Sonoma County Fire District in a form approved by County Counsel, including an option to extend the contract five additional years.

Section 1797.230(a) of the California Health and Safety Code articulates that: (1) A county may contract for emergency ambulance services with a fire agency that will provide those services, in whole or in part, through a written subcontract with a private ambulance service; and (2) This subdivision is declaratory of existing law regarding a county's powers and authority to contract for emergency ambulance services. Section 1797.230(b) further requires the Board to adopt written policy setting forth issues to be considered for inclusion in the County contract.

In support of the requirements articulated in California Health and Safety Code 1797.230 the Board of Supervisors ("Board") adopted Ordinance No. 6294, Emergency and Pre-Hospital Medical Services System Ordinance of Sonoma County ("EMS Ordinance"), on November 12, 2019, to further the foregoing County commitments and express the Board's policies for consideration in selecting an exclusive provider for an exclusive operating area. The Resolution associated with this Board item reaffirms the policy position articulated in the EMS Ordinance.

Discussion:

Division 2.5 of the California Health and Safety Code (HSC) "the EMS Act" § 1797.224 allows Local EMS Agencies (LEMSA) to enter into formal agreements for provision of ambulance service through the creation of Exclusive Operating Areas (EOA). 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 Code of Ordinances, Section 28-4(a), designates the Department of Health Services (DHS, or "the Department") as the LEMSAs for Sonoma County. EMS Agency functions are the responsibility of Coastal Valleys EMS Agency, which is organized within the Public Health Division of DHS. In 1991, the LEMSAs, under direction of the Sonoma County Board of Supervisors, established an EOA, now known as EOA-1, to serve the cities of Santa Rosa, Sebastopol, Rohnert Park, Cotati, and the surrounding unincorporated areas.

The current emergency ambulance service provider is American Medical Response West (AMR). The current contract with AMR had an initial term from July 1, 2009, through June 30, 2014, and has been extended four times since the original term expired. The current extension is through January 15, 2024, as approved by the Board on May 24, 2022.

RFP Process

On October 18, 2022, DHS staff brought a draft RFP that included recommendations adopted during an extensive stakeholder engagement and listening process. Supported by generally favorable comments from

system stakeholders, the Board approved the updated draft and directed staff to submit the RFP to California EMSA for final approval. DHS Staff formally submitted the updated RFP to California EMSA on October 18, 2022, and EMSA notified DHS that the RFP was approved by the state on November 1, 2022.

On November 3, 2022, DHS posted the RFP to the County Supplier Portal with a proposal due date of March 1, 2023. Two organizations submitted timely proposals: Sonoma County Fire District, and American Medical Response West. Review of the two proposals took place between March 6, 2023, and April 20, 2023.

Pursuant to Sonoma County Code Sec. 28-17, DHS established an independent Proposal Review Committee (PRC) to evaluate and score the proposals based on the criteria specified in the solicitation and an oral presentation by each Proposer. The PRC consisted of five subject matter experts from agencies outside of Sonoma County and representing the following occupations:

1. Physician with experience in an Emergency Department setting and knowledge of prehospital emergency care;
2. Local EMS Agency Administrator;
3. Fire Services Officer from an agency that provides ALS transport services;
4. County CAO or CEO; and
5. Certified Public Accountant with health systems knowledge.

The PRC reviewed the proposals and independently scored them. The PRC then convened and discussed their evaluations based on their subject matter expertise. On April 20, 2023, the two proposers gave presentations to the PRC members, and the PRC met after the presentations to finalize their scoring. The scores from all the evaluators were averaged to arrive at a final score for each proposal. Consistent with the requirements in the ordinance, the committee recommend the highest scoring Proposer to the Director of Health Services.

The average scores in each major category for each proposer is indicated in the following table.

Sonoma County Ground Ambulance RFP Scoring Matrix Final Scores			
five RFP Review Committee Members. Green averages are Sonoma County Fire District scores, and blue averages are American Medical Response scores.			
Scope of Work as outlined in the RFP provided as a guide.	SCFD AVERAGE POINTS SCORED PER CATEGORY	AMR AVERAGE POINTS SCORED PER CATEGORY	Maximum Points Possible per Item
4.1 Organizational Capacity and Management	22.8	22.4	25
4.2 Performance Requirements	66	66.4	75
4.3 Ambulance Deployment and Response	27.6	27.8	30
4.4 Vehicles - Page 31-33	18	19.2	20
4.5 Medical Supplies and Equipment	4.6	4.8	5
4.6 Personnel - Page 33-38	66.6	66.8	75
4.7 Hospital and Community Referrals	12.8	12.8	15
4.8 Disaster Preparedness and Response	18.8	19.6	20
4.9 Quality Management Page 45	45	47	50
4.10 Financial and Administrative	42	22	60
4.11 System Integration	8.4	9.6	10
4.12 System Innovation	8.8	9.6	10

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Total Score	341.4	328	395
	SCFD	AMR	

Based on the average score, the Proposal Review Committee recommended to the DHS Director that Sonoma County Fire District be selected as the successful Proposer.

Pursuant to Sonoma County Code Sec. 28-17(g):

Following the competitive process, the Department Director will submit a written report including a recommendation to the Board of Supervisors who will approve or disapprove any proposed contract with the winning bidder.

Bid Protests

Upon posting of the Notice of Intent to Award naming Sonoma County Fire District as the highest scoring proposer, bid protests were timely received by the County Purchasing Agent from American Medical Response West and United EMS Workers, AFSCME Local 4911. Upon review of the bid protests by the Purchasing Agent in conjunction with County Counsel and outside counsel, it was determined the bid protests were without merit. Accordingly, both bid protests were denied on May 26, 2023, by the Director of Sonoma Public Infrastructure

DHS Director Recommendation to the Board of Supervisors

Director Tina Rivera has reviewed the results of the PRC scoring and spoken with the PRC members about their recommendation. Director Rivera recommends that the County enter into a contract with Sonoma County Fire District for ground ambulance services in EOA-1. Please see Attachment 1.

Board of Supervisors Options

The Board of Supervisors may take the following action on this matter:

- 1) Authorize the Director of Health Services, or designee, to execute a contract for emergency ground ambulance service in Sonoma County Exclusive Operating Area 1 with Sonoma County Fire District in a form approved by County Counsel.
- 2) Reject the Director of Health Service's recommendation and direct staff to issue a new Request for Proposals.

References:

Sonoma County Code Chapter 28 - Emergency and Pre-Hospital Medical Services System -
<https://library.municode.com/ca/sonoma_county/codes/code_of_ordinances?nodeId=CH28EMPSPMESESY>

Strategic Plan:

N/A

Prior Board Actions:

On October 18, 2022, the Board approved a modified RFP with the following direction: A) Authorize the Director to resubmit the RFP to California EMSA. B) Authorize the Director to make minor modifications prior to RFP release for non-substantive changes. C) Authorize the Director to issue the RFP to potential Proposers for responses.

On November 2, 2021, the Board approved the RFP with the following direction: A) Approve the revisions to

the Request for Proposal (RFP) approved by the Board on April 13, 2021. B) Authorize the Director to resubmit the RFP to California EMSA. C) Authorize the Director to make minor modifications prior to RFP release for non-substantive changes. D) Authorize the Director to issue the RFP to potential Proposers for responses.

On April 13, 2021, the Board A) reviewed the Matrix of Public Comments and Staff responses and Recommendations; B) approved changes to be incorporated into the RFP; and C) approved the RFP for submission to California Emergency Medical Services Authority (EMSA).

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 22-23 Adopted	FY 23-24 Projected	FY 24-25 Projected
Budgeted Expenses	\$200,000	\$465,000	\$650,000
Additional Appropriation Requested			
Total Expenditures	\$200,000	\$465,000	\$650,000
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other	\$200,000	\$465,000	\$650,000
Use of Fund Balance			
Contingencies			
Total Sources	\$200,000	\$465,000	\$650,000

Narrative Explanation of Fiscal Impacts:

The Department has included \$322,151 of franchise fees in Fiscal year 2023-24, additional appropriations of \$143,000 will be added via Quarter 1 Consolidated Board Adjustments. Fiscal Year 2024-2025 will include the

total Franchise revenue of \$550,000 along with expenditures for the FirstWatch software an ongoing contract expenditure for ImageTrend. The reimbursement for Administration fees for conducting the RFP will be set up as an Accounts Receivable for Fiscal Year 2022-2023 as the department has already incurred these expenditures.

The terms of the RFP specify that the Contractor shall reimburse the County for certain one-time and ongoing expenses. These include:

One-Time Reimbursements:

- Reimbursement of initial purchase and configuration of the FirstWatch software product for compliance and clinical performance monitoring, estimated to be approximately \$140,000.
- Reimbursement of a fee equal to the costs of conducting the RFP process, estimated to be approximately \$200,000.

Ongoing Reimbursements:

- Reimbursement of ongoing contract compliance auditing and monitoring by County staff, estimated to be \$550,000 annually plus annual CPI adjustments.
- Reimbursement of ongoing licensing and maintenance of the FirstWatch software product for compliance and clinical performance monitoring, estimated to be \$55,000 annually and as adjusted by the software vendor.
- Reimbursement of ongoing licensing and maintenance for ImageTrend Electronic Patient Care Reporting (ePCR) and documentation software, estimated to be \$45,000 annually and as adjusted by the software vendor.

Estimated One-Time Costs	
FirstWatch, OCU, FirstPass - Initial one-time charge	\$140,000
Selected Contractor Initial Charge (RFP Administration)	\$200,000
Estimated Annual Costs for Services Provided to the Contractor	
EMS Agency Oversight & Monitoring Services	\$550,000
ImageTrend	\$45,000
FirstWatch, OCU, FirstPass	\$55,000

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

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

Attachment 1 - Letter of Recommendation to Award Contract

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Attachment 2 - Resolution

Attachment 3 - Proposal - AMR Full Proposal - Sonoma Co. Ambulance Service RFP

Attachment 4 - Proposal - SCFD Part 1 - Core Proposal Narrative - Sonoma Co. Ambulance Service

RFP Attachment 5 - Proposal - SCFD Part 2 - Supporting Documents - Sonoma Co. Ambulance Service RFP

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

None