

November 29, 2022

Via Email (list below) and Hand-Delivery

Phung Loman
Chief Procurement Officer
General Services Department
Purchasing Division
County of Santa Barbara
260 North San Antonio Road
Santa Barbara, California 93110
Ploman@countyofsb.org

Re: American Medical Response West's Supplemental Reply to Santa Barbara County Fire Protection District's Supplement (RFP 8010001)

Dear Ms. Loman:

On November 4, 2022, County Fire filed its bid protest ("Protest"). On November 10, 2022, AMR timely provided its response as allowed by the RFP. On November 23, 2022, County Fire submitted a supplement to its Protest ("Supplement"). AMR now submits this reply to County Fire's Supplement ("Supplemental Reply").

Under Section 2.10(H) of the RFP, County Fire was required to submit all of its bases for its protest within five (5) business days of the award. The RFP only permits late submissions by County Fire if it can demonstrate that the new information "was not, and could not have been, known at the time of the filing of the Protest." County Fire asserts in its Supplement that it "became aware of the Sonoma County contract and compliance matter on November 21, 2022." County Fire, however, did not explain *why* it could not have known about the Sonoma County contractual events before it submitted its Protest on November 4. AMR's dispute with Sonoma County has been a matter of public record since October 14, 2022, and as explained below the California Emergency Medical Services Authority ("State EMSA") letter has been a public record since June 17, 2022. The Procurement Officer is authorized to deny consideration of this late submission by County Fire given the RFP's standard.

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If the Procurement Officer decides to consider the Supplement, the Procurement Officer should find that the Sonoma matter is irrelevant to the award of the Santa Barbara RFP to AMR. AMR has a bona fide dispute with Sonoma County arising from the State EMSA's denial in June 2022 of Sonoma County's request to extend AMR's exclusive contract. Specifically, on June 17, 2022, Sonoma County received a letter from the State EMSA that stated that "[t]he exclusivity for Sonoma County EMS Sub-Area #1 expired on June 30, 2020." Sonoma County and AMR are working through this dispute occasioned by the State EMSA's decision, and AMR continues to serve Sonoma County with high quality emergency medical services as it has done for decades. The Sonoma dispute has no bearing on AMR's ability to serve the people of Santa Barbara. Further, the Sonoma dispute has no bearing on the scoring of the five (5) independent evaluators who reviewed the bids and scored AMR 317.75 points higher than County Fire. County Fire's argument should be overruled.

Building upon 52 years of service, AMR looks forward to continuing to provide the level of service the County has come to depend upon from AMR, as was recognized overwhelmingly by the five independent evaluators. Because Santa Barbara County faces continued challenges related to wildfires, flooding and serious incidents, the County will continue to have well-prepared teams to serve its citizens and visitors. AMR looks forward to continuing to work with its partners in the fire service in the provision of excellent emergency medical services, and collaborating with all stakeholders to enhance the overall system as put forward in our response, to include the launch of a centralized fire and EMS dispatch center.

AMR is prepared to move forward with the County contract. If you have any questions or wish to meet with us, we are available at your convenience.

Very truly yours,



Pamela L. Johnston



FOLEY & LARDNER LLP

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cc: Rachel Van Mullem, County Counsel
rvanmull@countyofsb.org
Brian Pettit, Deputy County Counsel
bpettit@countyofsb.org
Nick Clay, EMS Agency Director
nclay@sbcphd.org
Mark Hartwig, Fire Chief / Fire Warden
Santa Barbara County Fire Protection District
mhartwig@countyofsb.org
Mike Sanders, AMR Region Director
AMR Law Department