

BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Public Health
Department No.: 041
For Agenda Of: December 10, 2019
Placement: Department
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Van Do-Reynoso, MPH, PhD
Director(s) Public Health Department Director
Contact Info: Nicholas Clay, 681-5394
Emergency Medical Services Agency Director
**SUBJECT: Work Plan for Competitive Process for Emergency Ambulance
Services and Exclusive Operating Area(s)**

County Counsel Concurrence

As to form: Yes

Other Concurrence:

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors consider recommendations as follows:

- a) Receive and file a report from the Public Health Department, acting as the Local EMS Agency (LEMSA), about the competitive process that the Board directed on October 1, 2019, to select a Contractor to provide emergency ambulance services for Santa Barbara County and to redefine exclusive operating areas as may be necessary, and;
- b) Direct staff to identify funding for an outside consultant to develop and help conduct the ambulance service Request for Proposals (RFP) and identify any additional resource needs, and to return to the Board for approval of a Budget Revision Request upon identification of funding for this aspect of the project, and;
- c) Determine that the recommended actions do not constitute a "Project" within the meaning of California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(5) of the CEQA Guidelines, because the actions consist of organizational and administrative activities that will not result in direct or indirect physical changes in the environment.

Summary Text:

On October 1, 2019, your Board directed the LEMSA to begin the competitive process (request-for-proposal, RFP) to select an ambulance service provider to serve Santa Barbara County. Based on the data presented in the October 1, 2019 meeting the LEMSA, in concurrence with County Counsel, estimates

this process will take 30 – 36 months. In order to conduct a competitive process, the LEMSA will need the assistance of a consultant who has expertise in conducting ambulance service RFPs to ensure a competitive, timely, and transparent process. The LEMSA estimates the RFP consultant’s initial cost will be approximately \$200,000, and that term of the agreement would be for the duration of the ambulance service procurement process.

The LEMSA intends to work with County Counsel to review procurement options that maintain procurement integrity, including the possibility of convening an RFP Advisory Committee to provide policy level guidance on the consultant scope of work and to assist in the consultant selection process.

Background:

The LEMSA, as designated by the Board of Supervisors on March 5, 1984, is statutorily responsible for planning, evaluating, and implementing an EMS System. (Health & Saf. §§ 1797.200, 1797.204.) The LEMSA can establish “one or more exclusive operating areas for ambulance service 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.” (Health & Saf. § 1797.224). 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. Once a competitive process is implemented through a state approved local plan, that competitive process must be held at periodic intervals (*Id.*) Additionally, an approved paramedic service provider must have a written agreement with the LEMSA to participate in the EMS system and to comply with all applicable State regulations, and local policies and procedures (22 CCR § 100168(b)(4).)

RFP Consultant

Scope of Work – Overview

The RFP consultant will be primarily responsible to design the ambulance service RFP; support the response and award period; assist with the crafting of the ambulance agreement; and support the development of the updated local EMS plan. It is expected that the RFP consultant’s services will be required for 30-36 months.

Funding

Staff is in the process of finalizing the estimated cost of an RFP consultant and will return to your Board in early 2020 with a Budget Revision Request. This will be required prior to releasing the RFP for the consultant.

Selection Process

Based on the above-mentioned survey, the RFP consultant selection process in other jurisdictions ranged from 2-24 months, with an average of six months. As noted in the timeline below, the LEMSA anticipates a six-month selection process.

RFP Process Timeline Overview

This ambulance service RFP estimate includes the time to select an RFP consultant, as well as, the approximate six-month “ramp up” time in advance of the new ambulance services agreement.

The below timeline is an estimate, based on the LEMSA’s research of other ambulance service RFPs in the State, as presented on October 1, 2019.

- RFP Consultant Selection Process: *January 2020 – June 2020*
- Develop Ambulance RFP Requirements: *June 2020 – February 2021*

- CA EMSA Review of RFP: *February 2021 – March 2021*
- BOS Review of RFP: *April 2021*
- RFP Release, Response and Selection: *April 2021 – August 2021*
- Ambulance Agreement Negotiation: *August 2021 – December 2021*
- CA EMSA Review of Agreement: *January 2022 – February 2022*
- BOS Review of Agreement: *March 2022 – April 2022*
- Ambulance Provider “Ramp up”: *May 2022 – September 2022*
- New Ambulance Agreement in Effect: *January 2023*

Potential Risk Points

There are a number of risks that have the potential to add costs and time to the ambulance service RFP process.

- Developing the ambulance service RFP requirements could take longer than eight months
- The CA EMS Authority review of the ambulance service RFP and EMS Plan could be protracted
- The ambulance service RFP award could be subject to protest by an unsuccessful bidder
- Negotiating the new ambulance agreement could be protracted
- The CA EMS Authority review of the ambulance service agreement could be protracted

The LEMSA is committed to working with our partners to mitigate the risks of delay, however many of the risks are driven by external factors.

Fiscal and Facilities Impacts:

Budgeted: No

Fiscal Analysis: Upon return to your Board with a budget revision request, the PHD will be prepared to address the estimated cost, the proposed funding sources, and other fiscal and staffing aspects of the ambulance RFP process.

Staffing Impacts:

<u>Legal Positions:</u>	<u>FTEs:</u>
0	0

Special Instructions:

Please email one (1) electronic Minute Order to phdcu@sbcphd.org.

Attachments:

- A. Work Plan for Competitive Process for Emergency Ambulance Services Presentation

Authored by:

Nicholas Clay, LEMSA Director