

**33976**

DATE: May 10, 2013

TO: Honorable Board of Acquisition and Contract

FROM: Kunjlata Ashar, M.D.  
Medical Examiner/Pathologist  
Department of Laboratories and Research

RE: Request for authority for the County of Westchester to enter into an agreement with National Medical Services, Inc. to provide specialized laboratory testing services and expert testimony for the Department of Laboratories and Research for an amount not to exceed \$30,000 at the rates stated in Schedule "A"; for a term May 29, 2013 through May 28, 2014

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Attached is a proposed resolution requesting authorization for the County of Westchester (the "County"), acting by and through its Department of Laboratories and Research (the "Department"), to enter into an agreement with National Medical Services, Inc., located at 3701 Welsh Road, Willow Grove, Pennsylvania (the "Consultant"), to provide specialized laboratory testing services and expert testimony for an amount not to exceed Thirty Thousand (\$30,000) Dollars at the rates stated in Schedule "A" of the attached proposed resolution, for a term May 29, 2013 through May 28, 2014 (the "proposed Agreement").

The proposed Agreement will promote the public safety of County residents as the services pursuant thereto will be used to detect chemical/drug abuse by persons suspected of DWI offenses and drug use by deceased subjects of the County Medical Examiner.

The **goals and objectives** of this program are to provide the residents of Westchester County with chemical/drug abuse detection services.

The proposed Agreement is in the County's **best interest** regarding **public safety** as the services to be rendered pursuant thereto shall enable the County to detect chemical/drug abuse by persons suspected of DWI offenses and drug use by deceased subjects of the County Medical Examiner.

The **goals and objectives** of the proposed Agreement will **be tracked and monitored** by the Department's Toxicology Division which shall track all sample submissions, receive all Consultant test results, and approve all County payments to the Consultant for its services.

The Consultant has been providing the aforementioned testing services to the Department for the past several years and has satisfactorily provided the level and array of testing required by the Department.

The proposed agreement with the Consultant is exempt from the Westchester County Procurement Policy (the "Policy") pursuant to Policy section 3(a)(vii) which exempts "contracts for the services of expert witnesses" and Policy section 3(a)(viii) which exempts "contracts for "medical or health-related services."

I therefore recommend adoption of the annexed proposed Resolution.

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/06/2019 - JOMAR VERA, SECRETARY

**RESOLUTION**

Upon a communication from the Medical Examiner of the Department of Laboratories and Research, be it hereby:

**RESOLVED**, that the County of Westchester (the "County"), acting by and through its Department of Laboratories and Research, is authorized to enter into an agreement with National Medical Services, Inc. located at 3701 Welsh Road, Willow Grove, Pennsylvania (the "Consultant") to provide specialized laboratory testing services and expert testimony for an amount not to exceed Thirty Thousand (\$30,000) Dollars at the rates stated in Schedule "A" attached hereto; for a term May 29, 2013 through May 28, 2014 (the "Agreement"); and be it further

**RESOLVED**, that this Agreement is subject to County appropriations; and be it further

**RESOLVED**, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Consultant, then the Consultant shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is hereby authorized to take such action and execute such documents as may be necessary and proper to effectuate the purposes hereof.

Account to be  
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
101	31	0010-3200	4380		\$17,500 (2013)
101	31	0010-3200	4380		\$12,500 (2014)

Budget Funding Year(s):  
(must match resolution)

Start Date

End Date

Funding Source

Tax Dollars     \$30,000.00    

State Aid \_\_\_\_\_

  \$ 30,000.00  

Federal Aid \_\_\_\_\_

(must match resolution)

Other \_\_\_\_\_

**SCHEDULE "A"**

Expert Services Analytical Support  
(In support of analytical work performed by NMS Labs)  
Effective March 1, 2010

Toxicologist or Certifying Scientist (deposition, testimony\*, case review, trial or case prep) .....  
\$350/hour

Senior Toxicologist review .....  
\$400/hour

Administrative staff or lab analyst (deposition, testimony\*) .....  
\$200/hour

Other:

Travel time for all staff is charged at 50% of deposition/testimony\* rate and is door to door.

Client responsible for all travel related expenses.

Client responsible for arranging for transportation and lodging when located > 150 miles from Willow Grove.

All fees are calculated on an hourly basis - one-hour minimum applies.

Other terms and conditions may apply.

*Other Services*

Litigation Packet Preparation .....  
\$75/hour

\$250 minimum fee applies.

File Preparation (plus cost of supplies) .....  
\$75/hour

\*Testimony refers to in court or remotely. NMS Labs has full video testimony capabilities to meet our clients' needs.

Substance	Est. Quantity	Medium:	Blood	Urine	Gastric	Liver
		Limits*				
Cannabinoids Panel	35		\$168.00 Acode 0960B	\$107.00 Acode 0964U	\$193.00 Acode 0960FL	\$208.00 Acode 0960TI
Delta-9 THC		1 ng/mL	See 0960B	xx		
Delta-9 Carboxy THC		5 ng/mL	See 0960B	See 0964U		
11-Hydroxy Delta-9 THC		5 ng/mL	See 0960B	xx		
Bupropion and Metabolite	10	10 ng/mL	\$106.00 Acode 0803B	\$129.00 Acode 0803U	\$256.00 Acode 0803FL	\$306.00 Acode 0803TI
Buprenorphine and Metabolite	10		XX	XX	XX	XX
Blood		1 ng/mL	\$136.00	\$136.00	**special request	**special request
Urine		5 ng/mL	Acode 0801B	Acode 0801U		
Lithium	10	0.036 mEq/L	\$39.00 Acode 2520B	\$39.00 Acode 2520U	\$189.00 Acode 2520FL	\$239.00 Acode 2520TI
Escitalopram	5	5 ng/mL	\$159.00 Acode 1965B	\$159.00 Acode 1965U	\$180.00 Acode 1965FL	\$359.00 Acode 1965TI
Gabapentin	5	0.40 mcg/mL	\$99.00 Acode 2143B	\$132.00 Acode 2143U	**special request	**special request
Levetiracetam	5	1.0 mcg/mL	\$91.00 Acode 2505B	**special request	**special request	**special request
Olanzapine	5	3 ng/mL	\$240.00 Acode 3226B	**special request	\$390.00 Acode 3226FL	\$440.00 Acode 3226TI
Postmortem Toxicology Panel - Expanded	5		\$300.00 Acode 8052B	\$300.00 Acode 8052U	\$492.00 Acode 8052FL	\$546.00 Acode 8052TI
Risperidone and Metabolite	5	1 ng/mL	\$115.00 Acode 4105B	\$146.00 Acode 4105U	\$265.00 Acode 4105FL	\$315.00 Acode 4105TI
Valproic Acid	5	1 mcg/mL	\$111.00 Acode 4757B	\$111.00 Acode 4757U	\$261.00 Acode 4757FL	\$311.00 Acode 4757TI
Acetaminophen	As Needed	0.50 mcg/mL	\$44.00 Acode 0030B	\$44.00 Acode 0030U	\$194.00 Acode 0030FL	\$244.00 Acode 0030TI
Amitriptyline and Metabolite	As Needed	10 ng/mL	\$85.00 Acode 0310B	\$104.00 Acode 0310U	\$235.00 Acode 0310FL	\$304.00 Acode 0310TI
Buspirone	As Needed	0.50 ng/mL	\$90.00 Acode 0805B	\$109.00 Acode 0805U	**special request	**special request
Clozapine and Metabolite	As Needed	20 ng/mL	\$96.00 Acode 1287B	\$116.00 Acode 1287U	\$246.00 Acode 1287FL	\$296.00 Acode 1287TI
Doxepin and Metabolite	As Needed	1 ng/mL	\$72.00 Acode 1810B	\$80.00 Acode 1810U	\$222.00 Acode 1810FL	\$272.00 Acode 1810TI
Duloxetine	As Needed	3 ng/mL	\$175.00 Acode 4666B	**special request	**special request	**special request
Eszopiclone/Zopiclone	As Needed	2 ng/mL	\$238.00 Acode 1968B	\$216.00 Acode 1968U	**special request	\$288.00 Acode 1968TI

Ethylene Glycol	As Needed	5 mg/dL		\$127.00 Acode 2062B	\$105.00 Acode 2062U	\$277.00 Acode 2062FL	\$327.00 Acode 2062TI
Fluvoxamine	As Needed	10 ng/mL		\$100.00 Acode 2124B	\$82.00 Acode 2124U	\$250.00 Acode 2124FL	**special request
Hydroxychloriquine	As Needed	100 ng/mL		\$183.00 Acode 2362B	\$201.00 Acode 2362U	\$208.00 Acode 2362FL	\$233.00 Acode 2362TI
Lamotrigine	As Needed	0.20 mcg/mL		\$60.00 Acode 2484B	\$71.00 Acode 2484U	**special request	**special request
Methadone and Metabolite	As Needed	50 ng/mL		\$176.00 Acode 8722B	\$176.00 Acode 8722U	\$201.00 Acode 8722FL	\$226.00 Acode 8722TI
Methylphenidate and Metabolite	As Needed			\$84.00 Acode 3020B	\$84.00 Acode 3020U	\$109.00 Acode 3020FL	\$134.00 Acode 3020TI
Methylphenidate		4 ng/mL					
Ritalinic Acid		20 ng/mL					
Oxcarbazepine as Metabolite	As Needed	0.50 mcg/mL		\$63.00 Acode 3265B	**special request	**special request	**special request
Postmortem Toxicology Panel - Expert	As Needed			\$523.00 Acode 8092B	\$523.00 Acode 8092U	\$662.00 Acode 8092FL	\$717.00 Acode 8092TI
Synthetic Cannabinoids Screen, (Forensic)	As Needed	0.10 ng/mL		\$201.00 Acode 9560B	\$95.00 Acode 9562U (Qualitative)	**special request	**special request
Venlafaxine and Metabolite	As Needed	20 ng/mL		\$227.00 Acode 4767B	\$275.00 Acode 4767U	\$252.00 Acode 4767FL	\$427.00 Acode 4767TI
Zolpidem	As Needed	4 ng/mL		\$132.00 Acode 2483B	**special request	\$282.00 Acode 2483FL	\$332.00 Acode 2483TI
Benzodiazepines Panel - including:	As Needed			\$162.00 Acode 9329B	\$162.00 Acode 9329U	\$187.00 Acode 9329FL	\$212.00 Acode 9329TI
Desalkylflurazepam		5 ng/mL		See 9329B	See 9329U	See 9329FL	See 9329TI
Nordiazepam		20 ng/mL		See 9329B	See 9329U	See 9329FL	See 9329TI
Oxazepam		20 ng/mL		See 9329B	See 9329U	See 9329FL	See 9329TI
Lorazepam		5 ng/mL		See 9329B	See 9329U	See 9329FL	See 9329TI
Diazepam		20 ng/mL		See 9329B	See 9329U	See 9329FL	See 9329TI
Hydroxyethylflurazepam		5 ng/mL		See 9329B	See 9329U	See 9329FL	See 9329TI
Temazepam		20ng/mL		See 9329B	See 9329U	See 9329FL	See 9329TI
Chlordiazepoxide		20ng/mL		See 9329B	See 9329U	See 9329FL	See 9329TI
Midazolam		5 ng/mL		See 9329B	See 9329U	See 9329FL	See 9329TI
Flurazepam		2 ng/mL		See 9329B	See 9329U	See 9329FL	See 9329TI
Alpha-Hydroxyalprazolam		5 ng/mL		See 9329B	See 9329U	See 9329FL	See 9329TI
Alphazolam		5 ng/mL		See 9329B	See 9329U	See 9329FL	See 9329TI
Hydroxytriazolam		5 ng/mL		See 9329B	See 9329U	See 9329FL	See 9329TI

Triazolam		2 ng/mL		See 9329B	See 9329U	See 9329FL	See 9329TI
Estazolam		5 ng/mL		See 9329B	See 9329U	See 9329FL	See 9329TI
Clobazam		20ng/mL		See 9329B	See 9329U	See 9329FL	See 9329TI
Clonazepam		2 ng/mL		See 9329B	See 9329U	See 9329FL	See 9329TI
7-Amino Clonazepam		5 ng/mL		See 9329B	See 9329U	See 9329FL	See 9329TI
Amphetamines Panel - including:	As Needed			\$167.00 Acode 8600B	\$167.00 Acode 8600U	\$312.00 Acode 8600FL	\$367.00 Acode 8600TI
Amphetamine		5 ng/mL		See 8600B	See 8600U	See 8600FL	See 8600TI
Methamphetamine		5 ng/mL		See 8600B	See 8600U	See 8600FL	See 8600TI
Methylenedioxymethamphetamine (MDMA)		5 ng/mL		See 8600B	See 8600U	See 8600FL	See 8600TI
Methylenedioxyamphetamine (MDA)		5 ng/mL		See 8600B	See 8600U	See 8600FL	See 8600TI
Methylenedioxyethylamphetamine (MDEA)		10 ng/mL		See 8600B	See 8600U	See 8600FL	See 8600TI
Ephedrine		5 ng/mL		See 8600B	See 8600U	See 8600FL	See 8600TI
Methylephedrine		5 ng/mL		See 8600B	See 8600U	See 8600FL	See 8600TI
Pseudoephedrine		5 ng/mL		See 8600B	See 8600U	See 8600FL	See 8600TI
Phenylpropanolamine (PPA)		5 ng/mL		See 8600B	See 8600U	See 8600FL	See 8600TI
Norpseudoephedrine		5 ng/mL		See 8600B	See 8600U	See 8600FL	See 8600TI
Phentermine		10 ng/mL		See 8600B	See 8600U	See 8600FL	See 8600TI
Phendimetrazine		10 ng/mL		See 8600B	See 8600U	See 8600FL	See 8600TI
Phenmetrazine		5 ng/mL		See 8600B	See 8600U	See 8600FL	See 8600TI
Selegiline		5 ng/mL		See 8600B	See 8600U	See 8600FL	See 8600TI
Hallucinogens Screen - Expanded	As Needed			\$495.00 Acode 8755B	\$495.00 Acode 8755U	**special request	**special request
Psilocin		10 ng/mL		See 8755B	See 8755U	n/a	n/a
DMT		10 ng/mL		See 8755B	See 8755U	n/a	n/a
Scopolamine		10 ng/mL		See 8755B	See 8755U	n/a	n/a
5-MeO-DMT		10 ng/mL		See 8755B	See 8755U	n/a	n/a
Mescaline		50 ng/mL		See 8755B	See 8755U	n/a	n/a
Amphetamine		10 ng/mL		See 8755B	See 8755U	n/a	n/a
DMA		10 ng/mL		See 8755B	See 8755U	n/a	n/a

MDA	10 ng/mL		See 8755B	See 8755U	n/a	n/a
Methamphetamine	10 ng/mL		See 8755B	See 8755U	n/a	n/a
MDMA	10 ng/mL		See 8755B	See 8755U	n/a	n/a
Methedrone	10 ng/mL		See 8755B	See 8755U	n/a	n/a
2C-N	10 ng/mL		See 8755B	See 8755U	n/a	n/a
AMT	10 ng/mL		See 8755B	See 8755U	n/a	n/a
2C-H	10 ng/mL		See 8755B	See 8755U	n/a	n/a
MDEA	10 ng/mL		See 8755B	See 8755U	n/a	n/a
Atropine	10 ng/mL		See 8755B	See 8755U	n/a	n/a
DET	10 ng/mL		See 8755B	See 8755U	n/a	n/a
MBDB	10 ng/mL		See 8755B	See 8755U	n/a	n/a
BDB	10 ng/mL		See 8755B	See 8755U	n/a	n/a
Ketamine	10 ng/mL		See 8755B	See 8755U	n/a	n/a
Norketamine	10 ng/mL		See 8755B	See 8755U	n/a	n/a
Cocaine	10 ng/mL		See 8755B	See 8755U	n/a	n/a
Benzoylcegonine	150 ng/mL		See 8755B	See 8755U	n/a	n/a
5-MeO-DIPT	10 ng/mL		See 8755B	See 8755U	n/a	n/a
5-MeO-DALT	10 ng/mL		See 8755B	See 8755U	n/a	n/a
2C-C	10 ng/mL		See 8755B	See 8755U	n/a	n/a
2C-B	10 ng/mL		See 8755B	See 8755U	n/a	n/a
LSD-25	2 ng/mL		See 8755B	See 8755U	n/a	n/a
2C-B-FLY	10 ng/mL		See 8755B	See 8755U	n/a	n/a
2C-I	10 ng/mL		See 8755B	See 8755U	n/a	n/a



2C-T-2		10 ng/mL		See 8755B	See 8755U	n/a	n/a
Phencyclidine (PCP)		10 ng/mL		See 8755B	See 8755U	n/a	n/a
2C-E		10 ng/mL		See 8755B	See 8755U	n/a	n/a
Dextro/Levo Methorphan		1000 ng/mL		See 8755B	See 8755U	n/a	n/a
2C-T-7		10 ng/mL		See 8755B	See 8755U	n/a	n/a
Bromo-Dragon FLY		10 ng/mL		See 8755B	See 8755U	n/a	n/a
2C-P		10 ng/mL		See 8755B	See 8755U	n/a	n/a
Salvinorin B		2 ng/mL		See 8755B	See 8755U	n/a	n/a
Bath Salts and Stimulants Designer Drugs - Expanded	As Needed			\$250.00 Acode 8756B	\$250.00 Acode 8756U	**special request	**special request
Cathinone	10 ng/mL			See 8756B	See 8756U	n/a	n/a
Methcathinone	10 ng/mL			See 8756B	See 8756U	n/a	n/a
BZP	10 ng/mL			See 8756B	See 8756U	n/a	n/a
Methylone	10 ng/mL			See 8756B	See 8756U	n/a	n/a
Flephedrone	10 ng/mL			See 8756B	See 8756U	n/a	n/a
Ethylone	10 ng/mL			See 8756B	See 8756U	n/a	n/a
MDA	10 ng/mL			See 8756B	See 8756U	n/a	n/a
Methamphetamine	10 ng/mL			See 8756B	See 8756U	n/a	n/a
MDMA	10 ng/mL			See 8756B	See 8756U	n/a	n/a
Methedrone	10 ng/mL			See 8756B	See 8756U	n/a	n/a
Buphedrone	10 ng/mL			See 8756B	See 8756U	n/a	n/a
O-desmethyltramadol	10 ng/mL			See 8756B	See 8756U	n/a	n/a
PMA	10 ng/mL			See 8756B	See 8756U	n/a	n/a

2C-N	10 ng/mL			See 8756B	See 8756U	n/a	n/a
Butylone	10 ng/mL			See 8756B	See 8756U	n/a	n/a
2C-H	10 ng/mL			See 8756B	See 8756U	n/a	n/a
MDEA	10 ng/mL			See 8756B	See 8756U	n/a	n/a
MBZP	10 ng/mL			See 8756B	See 8756U	n/a	n/a
Mephedrone	10 ng/mL			See 8756B	See 8756U	n/a	n/a
DMAA	50 ng/mL			See 8756B	See 8756U	n/a	n/a
4-MEC	10 ng/mL			See 8756B	See 8756U	n/a	n/a
mCPP	10 ng/mL			See 8756B	See 8756U	n/a	n/a
Pentylone	10 ng/mL			See 8756B	See 8756U	n/a	n/a
2C-C	10 ng/mL			See 8756B	See 8756U	n/a	n/a
3,4-DMMC	10 ng/mL			See 8756B	See 8756U	n/a	n/a
MDPV	10 ng/mL			See 8756B	See 8756U	n/a	n/a
2C-B	10 ng/mL			See 8756B	See 8756U	n/a	n/a
TRIP	10 ng/mL			See 8756B	See 8756U	n/a	n/a
DOM	10 ng/mL			See 8756B	See 8756U	n/a	n/a
DOB	10 ng/mL			See 8756B	See 8756U	n/a	n/a
2C-I	10 ng/mL			See 8756B	See 8756U	n/a	n/a
DBZP	10 ng/mL			See 8756B	See 8756U	n/a	n/a
2C-T-2	10 ng/mL			See 8756B	See 8756U	n/a	n/a
Pyrovalerone	10 ng/mL			See 8756B	See 8756U	n/a	n/a
2C-E	10 ng/mL			See 8756B	See 8756U	n/a	n/a

Mitragynine	10 ng/mL			See 8756B	See 8756U	n/a	n/a
7-Hydroxymitragynine	10 ng/mL			See 8756B	See 8756U	n/a	n/a
2C-T-7	10 ng/mL			See 8756B	See 8756U	n/a	n/a
Naphyrone	10 ng/mL			See 8756B	See 8756U	n/a	n/a
2C-P	10 ng/mL			See 8756B	See 8756U	n/a	n/a
Phenazepam	10 ng/mL			See 8756B	See 8756U	n/a	n/a
*Reporting limits indicated for blood		**Testing in this sample matrix is by special request - viability and cost can be quoted at time of request					

Prices for specific drugs are dependent upon whether screen and confirmation testing is requested by the submitting agency  
All other requested testing services will be invoiced in accordance with the NMS Labs 2013 Fee Schedule  
Testimony may be required, estimated at two times per year. Indicate complete cost (including travel, lodging, fee, etc.).  
Please see enclosed Expert Services Fee Schedule for the fees Westchester County will be billed for rendered expert services.

APPROVED BOARD OF ACQUISITION & CONTRACT