

ONBASE # 77678

June 29, 2020

To: Board of Acquisition and Contract

From: Mary Mahon
Commissioner of Human Resources

Re: **Authority to enter into two (2) agreements with Partners in Safety, Inc. and City Medical Services, PC for the provision of comprehensive drug, alcohol and medical testing, safety training and compliance services for a period of five (5) years, commencing August 1, 2020 through July 31, 2025, in the total aggregate amount not to exceed \$1,099,975.00, payable pursuant to an approved budget and subject to appropriations.**

Attached for your consideration is a resolution which, if approved by your Honorable Board, would authorize the County of Westchester (the "County"), acting by and through its Department of Human Resources (the "Department") to enter into two (2) agreements with Partners in Safety, Inc. ("Partners in Safety") and City Medical Services, PC ("CitiMed"), pursuant to which Partners Safety and CitiMed would provide comprehensive drug, alcohol and medical testing, safety training and compliance services for a period of five (5) years, commencing on August 1, 2020 and continuing through July 31, 2025, in a total aggregate amount not to exceed \$1,099,975.00, payable pursuant to an approved budget and subject to appropriations.

Authority is also requested from your Honorable Board to consent to the utilization of Quest Diagnostics Clinical Labs, Inc., Laboratory Corporation of America and MEDTOX Scientific, Inc. as subcontractors of Partners in Safety, and to consent to the utilization of Laboratory Corporation of America and Escreen, Inc. as subcontractors of CitiMed.

As a way of background, on or about April 9, 2020, the County issued a Request for Proposals ("RFP") to solicit proposals to provide comprehensive drug, alcohol and medical testing, safety training and compliance services. In connection with the foregoing, on April 9, 2020, the Department sent the RFP via electronic mail to five (5) potential proposers that had submitted proposals in response to the previous RFP issued in 2015 or that otherwise expressed interest. Inquiries and questions were received from three (3) potential proposers to whom the RFP was not sent to. Two (2) proposals were

received in response to the RFP, including one from Partners in Safety, the County's current vendor, and one from CitiMed.

Partners in Safety's proposal was reviewed and investigated. Partners in Safety's pricing was found competitive. Furthermore, Partners in Safety, being the County's current vendor for these services, has extensive experience with the Department's specific service requirements. The Department has been pleased overall with the quality of Partners in Safety's performance under the current contract. Partners in Safety's proposal differentiated itself in its responsiveness to every required category, including the ability to provide SAP services, as well as having municipal experience and good past performance.

The Department also reviewed and investigated CitiMed's proposal. In addition to reviewing CitiMed's proposal, the Department interviewed CitiMed's representatives and contacted CitiMed's local references provided by CitiMed. Although CitiMed is not able to provide the required SAP services, nor does CitiMed have experience with county/local governments in Westchester County, CitiMed has experience in providing all other services and CitiMed offered a highly competitive pricing proposal. In addition, after investigating and interviewing CitiMed and contacting CitiMed's references, the Department determined that it is in the County's best interest to build a relationship with CitiMed in order to have an alternative provider to Partners in Safety in the eventuality the County may need to conduct more or varied testing at any given time in the future, in order to be better prepared to respond to future needs.

It should be noted that the administrative expenses and test costs to be incurred by the Department in connection with these services would be billed to participating County departments and agencies and would be reflected as revenue for the Department. An estimated \$525,000.00 over the life of the agreements would be reimbursed by Taxi and Limousine Commission drivers who would pay for the full costs of their drug tests.

Pursuant to the proposed agreements, Partners in Safety and CitiMed would provide comprehensive drug, alcohol and medical testing, safety training and compliance services. These contracts would serve a public purpose as such contracts protect the health, safety and welfare of County employees and residents as well as limit the County's potential exposure to litigation. The Department has been satisfied with the services provided by Partners in Safety and welcomes the opportunity to have an alternative provider to provide the same services, except for SAP services. The goals and objectives of the proposed agreements would be tracked and monitored by the Department.

Accordingly, I most respectfully recommend the adoption of the annexed Resolution.

MM/CMC

Encl.

RESOLUTION

Upon a communication from the Commissioner of Human Resources, be it hereby

RESOLVED, that the County of Westchester (the "County") is authorized to enter into agreements with Partners in Safety, Inc. ("Partners In Safety") and City Medical Services, PC ("CitiMed") for the provision of comprehensive drug, alcohol and medical testing, safety training and compliance services for a period of five (5) years, commencing August 1, 2020 through July 31, 2025, in a total aggregate amount not to exceed \$1,099,975.00, payable pursuant to an approved budget; and be it further

RESOLVED, that the County approves the use of the following subcontractors: Quest Diagnostics Clinical Labs, Inc., Laboratory Corporation of America and MEDTOX Scientific, Inc., for Partners in Safety and Laboratory Corporation of America and Escreen, Inc. for CitiMed; and be it further

RESOLVED, that the agreements are subject to County appropriations; and be it further

RESOLVED, that the agreements are 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 the agreements or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to Partners in Safety and CitiMed, then Partners in Safety and CitiMed shall have the right to terminate the agreements upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute all instruments and take all actions reasonably necessary to implement this Resolution.

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
2020	101	12	6010	4380		\$91,665
2021	101	12	6010	4380		\$219,995
2022	101	12	6010	4380		\$219,995
2023	101	12	6010	4380		\$219,995
2024	101	12	6010	4380		\$219,995
2025	101	12	6010	4380		\$128,330

Budget Funding Year(s): 2020-2025 Start Date: August 1, 2020 End Date: July 31, 2025
(must match resolution)

Funding Source: Tax Dollars \$574,975
State Aid _____
\$1,099,975.00 Federal Aid _____
Other 525,000 reimbursed by TLC applicants

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/23/2020 - LISA MRUJA, SECRETARY