



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.4.

1/12/2021

Subject:

Requested Approval of a Single Source Contract for Laboratory Services

Fiscal Impact:

Contract executes on an as needed basis; expenditures are currently budgeted

Dept/Office:

Public Safety Group/Medical Examiner Office

Requested Action:

It is requested that the Board of County Commissioners:

- Approve Steward Rockledge Hospital, Inc. as a single source for lab services for the Brevard County Medical Examiner's Office; and
- Authorize the Chair to execute the contract, as required.

Summary Explanation and Background:

The Brevard County Medical Examiner's Office current contract for Toxicology and History Lab Services expires March 2021. On October 27, 2020 the Commission approved a four-month extension for staff to conduct market analysis and determine if competition exists for this service.

The Medical Examiner's Office and Purchasing Services teamed together for the market analysis. After completing research, it was determined there are no viable available options in the market place. Additionally, while researching this issue, the team concluded it is a best practice to source this service locally to reduce risk of lost or delayed samples during shipment, especially in felony cases. Having this local service allows physical transfer of tissue samples eliminating the need to transport via commercial or private shipping services. Only one lab located in Brevard County (Steward Rockledge Hospital, Inc.) is able to provide both toxicology and histology services, which are required in a Medical Examiner's cause report.

In accordance with BCC-25, Procurement, Single Source is allowed where there are multiple sources of supply, but for specific reasons the item or service must be purchased from a specified vendor. These purchases may include commodities and services affected by territorial distributorships, original equipment manufacturers and components; requirements to maintain a degree of continuity to the original or existing décor, equipment, or programs, and where an attempt to bid/quote could result in operational or functional inconsistency, or excessive delay.

Clerk to the Board Instructions:

Please sign where annotated on page two of the single source form. Thank you.



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

January 13, 2021

M E M O R A N D U M

TO: Matthew Wallace, Public Safety Director

RE: Item F.4., Approval of a Single Source Contract for Laboratory Services

The Board of County Commissioners, in regular session on January 12, 2021, approved Steward Rockledge Hospital, Inc. as a single source for lab services for the Brevard County Medical Examiner's Office; and authorized the Chair to execute the contract. Enclosed is the fully-executed contract.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL SADOFF, CLERK

Kimberly Powell
Kimberly Powell, Deputy Clerk

/cld

Encl. (1)

cc: Medical Examiner's Office



**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS
SINGLE/SOLE SOURCE JUSTIFICATION AND APPROVAL FORM**

Sole Source: The *ONLY* known supplier for unique products and services where no other options are available.
Single Source: Though there may be alternate sources for the product or service requested, circumstances dictate the use of the proposed vendor. (i.e., availability, timeliness, location, etc.)

PART I - GENERAL REQUESTOR INFORMATION

Date Submitted: 12/14/2020 Requesting Department: Public Safety

Requisition #: _____ Contact Person/Phone #: Craig Engelson, 633-1981

One-time Purchase ☐ // Annual Purchase ☒

Amount of Purchase: _____ (One time) // \$200,000.00 (Estimated annual amount)

PART II - RECOMMENDED VENDOR INFORMATION

Vendor/Contractor Name: Steward Rockledge Hospital, Inc.

Vendor/Contractor Contact Name: Linda Sullivan

Vendor/Contractor Phone: 255-8021

Vendor/Contractor Email: Linda.Sullivan2@Steward.org

PART III - SINGLE/SOLE SOURCE VALIDATION

1. **Provide a detailed description of service/commodity to be provided by the vendor.**

Histology and toxicology laboratory services for the Medical Examiner Office.

2. **State why the recommended vendor is the only one capable of providing the required supplies and/or commodities. Include any back-up information or documentation that supports your recommendation. (Acceptable responses to this question will include strong pragmatic/technological information that supports the claim that there is only one vendor that can provide the services and/or commodities). Attach vendor letter and additional sheet if necessary.**

Please see attached.

3. **List any other sources that have been contacted and explain in detail why they cannot fulfill the County's requirements. (Responses to this section should include information pertaining to any research that was conducted to establish that the vendor is a sole source. Responses should include information pertaining to discussions with other potential suppliers, and why they were no longer being considered by the County).**

Please see attached.

Check all entries below that apply to the proposed purchase which exempt formal competition. Attach a memorandum containing complete justification and support documentation as directed in the selected entry. (More than one entry will apply to most sole source products/services requested).

- ☐ 1. SOLE SOURCE REQUEST IS FOR THE ORIGINAL MANUFACTURER OR PROVIDER. THERE ARE NO REGIONAL DISTRIBUTORS. (Attach the manufacturer's written communication that no regional distributors exist. Item no. 4 must also be completed.)
- ☐ 2. SOLE SOURCE REQUEST IS FOR THE ONLY STATE OF FLORIDA DISTRIBUTOR OF THE ORIGINAL MANUFACTURER OR PROVIDER. (Attach the manufacturer's - not the distributor's - written certification that identifies all regional distributors. Item no. 4 must also be completed.)
- ☐ 3. THE PARTS/EQUIPMENT ARE NOT INTERCHANGEABLE WITH SIMILAR PARTS OF ANOTHER MANUFACTURER. PARTS ARE "DIRECT REPLACEMENTS" PARTS/COMPONENTS FOR EXISTING EQUIPMENT. (Explain in a separate memorandum.)
- ☒ 4. THIS IS THE ONLY KNOWN ITEM OR SERVICE THAT WILL MEET THE SPECIALIZED NEEDS OF THIS DEPARTMENT OR PERFORM THE INTENDED FUNCTION. (Attach separate memorandum with details of specialized function or application.)
- ☐ 5. THE PARTS/EQUIPMENT REQUIRED FROM THIS SOURCE ARE TO PERMIT STANDARDIZATION. (Attach separate memorandum describing the basis for standardization request.)
- ☐ 6. NONE OF THE ABOVE APPLIES. A DETAILED EXPLANATION AND JUSTIFICATION FOR THIS SOLE SOURCE REQUEST IS CONTAINED IN AN ATTACHED MEMORANDUM.

PART IV - CERTIFICATION AND APPROVALS

I have reviewed the following Single/Sole Source justification and concur with the request, fully understanding the implications of Section 838.22 of the Florida Statutes:

(2) "It is unlawful for a public servant or a public contractor who has contracted with a governmental entity to assist in a competitive procurement to knowingly and intentionally obtain a benefit for any person or to cause unlawful harm to another by circumventing a competitive solicitation process required by law or rule through the use of a sole-source contract for commodities or services."

(3) "It is unlawful for any person to knowingly agree, conspire, combine, or confederate, directly or indirectly, with a public servant or a public contractor who has contracted with a governmental entity to assist in a competitive procurement to violate subsection (1) or subsection (2)."

(5) "Any person who violates this section commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084."

Each undersigned individual hereby attests that he/she took part in the non-competitive procurement identified above, and has reviewed Florida Statutes, Chapter 838 as it relates to sole source contracts, and that he/she is independent of, and has no conflict of interest in, the entity evaluated and selected.

Requisitioner Signature: [Signature] Date: 12/14/2020

Requesting Department Director Signature: Wallace, Matthew Date: 12/15/20

Central Services Office Director or Purchasing Manager's approval: [Signature] Date: 11 DEC 2020

XX
 Assistant County Manager/County Manager Approval
 (as applicable-ACM, \$25K-\$50K // County Manager \$50K-\$100K):

BoCC Chair Approval

[Signature]
 RITA PRITCHETT, CHAIR

Sole Source Approval ID #: _____
 Approved by Board 1/12/21

ATTEST: [Signature]
 RACHEL M. SADOFF, CLERK

**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS SINGLE/SOLE SOURCE JUSTIFICATION AND
APPROVAL FORM**

Date Submitted: 12/14/2020
Requesting Department: Public Safety

PART III – SINGLE/SOLE SOURCE VALIDATION

2. The Medical Examiner's Office and Purchasing Services teamed together for the market analysis. After completing research, it was determined there are no viable available options in the market place. Additionally, while researching this issue, the team concluded it is a best practice to source this service locally to reduce risk of lost or delayed samples during shipment, especially in felony cases. Having this local service allows physical transfer of tissue samples eliminating the need to transport via commercial or private shipping services. Only one lab located in Brevard County (Steward Rockledge Hospital, Inc.) is able to provide both toxicology and histology services, which are required in a Medical Examiner's cause report.

**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS SINGLE/SOLE SOURCE JUSTIFICATION AND APPROVAL
FORM**

Date Submitted: 12/10/2020	
Requesting Department: Public Safety	
<u>PART III - SINGLE/SOLE SOURCE VALIDATION</u>	
<u>Number 3</u>	
District	Lab
5 and 24	NMS for toxicology, AdventHealth Waterman Hospital (local to them) for histology
10	University of Florida for all services
15	Axis for toxicology (out of state)
17	Own tox lab, First Path for histology
19 and 25	Steward for all services
20	Miami/Dade's tox lab, Naples Pathology Associates for histology (hospital local to them)
23	NMS for toxicology, University of Florida Health for histology



BOARD OF COUNTY COMMISSIONERS

Medical Examiner Office

1750 Cedar Street
Rockledge, FL 32955

MEMORANDUM

SUBJECT: Brevard County Board of County Commissioners Single/Sole Source Justification and Approval Form

DATE: 12/14/2020

The Brevard County Medical Examiner's Office current contract for Toxicology and History Lab Services expires March 2021. On October 27, 2020 the Commission approved a four-month extension for staff to conduct market analysis and determine if competition exists for this service.

The Medical Examiner's Office and Purchasing Services teamed together for the market analysis. After completing research, it was determined there are no viable available options in the market place. Additionally, while researching this issue, the team concluded it is a best practice to source this service locally to reduce risk of lost or delayed samples during shipment, especially in felony cases. Having this local service allows physical transfer of tissue samples eliminating the need to transport via commercial or private shipping services. Only one lab located in Brevard County (Steward Rockledge Hospital, Inc.) is able to provide both toxicology and histology services, which are required in a Medical Examiner's cause report.

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Craig Engelson, Program Manager, Medical Examiner Office

12/14/2020

Date



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001

Fax: (321) 264-6972

Kimberly.Powell@brevardclerk.us

October 28, 2020

MEMORANDUM

TO: Matthew Wallace, Public Safety Director

RE: Item F.7., Request Approval of a Contract Extension for Toxicology and Histology Lab Services; Medical Examiner's Office

The Board of County Commissioners, in regular session on October 27, 2020, approved a 120-day extension of the existing Contract with Steward Rockledge Hospital, Inc. for continued Lab Services for the Brevard County Medical Examiner's Office; authorized the Chair to execute the Contract extension as required; and authorized you to develop and advertise a Request for Proposal (RFP) for firms that can provide these services, if an expectation of competition exists.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Kimberly Powell
Kimberly Powell, Deputy Clerk

/cid

cc: Budget
Finance
Medical Examiner's Office