



## Legislation Details (With Text)

**File #:** 18-0265      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 2/6/2018      **In control:** Board of Supervisors

**On agenda:** 4/3/2018      **Final action:** 4/3/2018

**Title:** Sheriff's Office recommending the Board:  
 1) Approve and authorize the Chair to sign Amendment I to Agreement 042-S1611 (#84) with Michael C. Berry, M.D., amending the Scope of Services, increasing the not to exceed amount to \$523,000, and updating the Notice to Parties and Contract Administrator, to provide selected pathology and related services in Placerville and South Lake Tahoe for the Sheriff's Coroner Division; and  
 2) Approve and authorize the Chair to sign Agreement #2402 with Michael C. Berry, M.D., terminating and replacing Agreement 042-S1611, in an amount not to exceed \$985,000 for the term effective May 1, 2018 through July 31, 2021 to provide selected pathology and related services in Placerville and South Lake Tahoe for the Sheriff's Coroner Division.

**FUNDING:** Sheriff's Office Budget - General Fund.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Agreement 042-S1611 (#84) Amend I 04-03-18, 2. B - Agreement #2402 04-03-18, 3. C - #2402 Exhibit A 04-03-18, 4. D - #2402 Exhibit B 04-03-18, 5. Executed Agreement for Services 042-S1611 Amendment I, 6. Executed Agreement 2402

Date	Ver.	Action By	Action	Result
4/3/2018	1	Board of Supervisors	Approved	Pass

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**FUNDING:** Sheriff's Office Budget - General Fund.

### DEPARTMENT RECOMMENDATION

Sheriff's Office recommends the signing of this Amendment I and Agreement to allow Dr. Michael C. Berry to continue to provide pathology and related services.

### DISCUSSION / BACKGROUND

Dr. Michael C. Berry has been providing pathology services to the Sheriff's Office since September 2010. Dr. Berry's rates, in comparison to other providers of similar services, are the most cost effective in the surrounding market. This is important since, the Sheriff's Office has historically had a

high volume of pathology service needs, and Dr. Berry has been an affordable and efficient provider.

On July 21, 2015, the Board approved Agreement 042-S1611 for a not to exceed amount of \$423,000. At the time of approval, this amount appeared to be sufficient as the Sheriff's Office looked at actual dollars spent with Dr. Berry from the previous three years.

However, due to an increase in autopsies performed by Dr. Berry throughout this contract term, the not to exceed amount we originally setup for Agreement 042-S1611 is not enough money to cover the outstanding invoices through April of 2018, therefore we are requesting to Amend the agreement to add funds to the contract. Unexpectedly, the total number of death cases increased by 15% in 15/16, by an additional 13% in 16/17 and it is trending that the total number of death cases in El Dorado County will increase another 10%-13% in 17/18. Contract 042-S1611 needs to be increased by \$100,000 in order to cover outstanding invoices from December 2017 through April 2018. We believe the increases in death cases can be attributed to a growing and aging population. Naturally, if the total number of death cases increase, the number of non-suspicious/non-forensic autopsies will increase.

In regards to agreement #2402, Dr. Berry' rates are increasing, starting August 1, 2018, and County Counsel advised the Sheriff's Office to create a new agreement, to replace the current agreement since the Sheriff's Office desires to continue using Dr. Berry's services after the expiration of Agreement 042-S1611 through July 31, 2018. While the new agreement will be effective May 1, 2018, the increase in rates will not be effective until August 1, 2018.

The Sheriff's Office is requesting the approval of Agreement #2402 for a not to exceed amount of \$985,000. The Sheriff's Office arrived at this amount by starting with the highest dollar amount spent in the last three years, considering Dr. Berry's rate increase for autopsies and then adding an additional 14% each year for new cases that may arise. Agreement #2402 will cover the period of May 1, 2018-July 31, 2021.

## **ALTERNATIVES**

Failure to approve and sign this Amendment and new Agreement would mean that the Sheriff's Office will not be able to pay invoices for services already provided and continue using these services, and its budget will be impacted with higher costs for similar services from other service providers.

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel and Risk Management

## **CAO RECOMMENDATION**

Approve as recommended.

## **FINANCIAL IMPACT**

There is no impact to Net County Cost. Funds have been budgeted in the Sheriff's Office FY 2017-18 budget and will continue to budget for these services for the duration of the contract.

## **CLERK OF THE BOARD FOLLOW UP ACTIONS**

Please return one fully executed original of Amendment and Agreement to the department.

**STRATEGIC PLAN COMPONENT**

Public Safety

**CONTACT**

Undersheriff Randy Peshon