



## CONSENT CALENDAR

### City of San Bernardino Request for Council Action

**Date:** May 15, 2024

**To:** Honorable Mayor and City Council Members

**From:** Charles A. Montoya, City Manager;  
Darren Goodman, Chief of Police

**Department:** Police

**Subject:** **Amendment to Increase Purchase Order with Law Enforcement Medical Services (All Wards)**

#### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California,

1. Authorize the City Manager to execute Amendment No.1 to the Professional Services Agreement with Law Enforcement Medical Services (LEMS), increasing the not to exceed amount by \$30,000, for a total contract amount of \$130,000; and
2. Authorize the Director of Finance and Management Services to increase the purchase order for Law Enforcement Medical Services to an amount not to exceed \$130,000.

#### **Executive Summary**

The City contracts with Law Enforcement Medical Services (LEMS) for all medical evidence collection. There is a current purchase order in place for the amount of \$100,000, however, due to increased fees and additional service requests, costs for LEMS will exceed the current purchase order amount. Staff is recommending that the LEMS purchase order for the current fiscal year (FY2023/24) be increased to \$130,000. This purchase order increase will not cause an increase to the Police Department's FY 2023/24 budget.

#### **Background**

On July 19th, 2023, the Mayor and City Council authorized the Director of Finance to issue an annual Purchase Order in the amount of \$100,000 beginning in FY23/24 and continuing for three years, with two one-year renewal options.

Prior to issuing the purchase order, the City published Request for Proposals F-23-44,

and Law Enforcement Medical Services (LEMS) submitted the sole bid. Law Enforcement Medical Services has been the City's contract vendor for medical evidence collection since 2000.

Although medical evidence expenditures were expected to total approximately \$100,000 during each year of the contract period, a portion of these expenditures are related to Sexual Assault Response Team (SART) exams. The cost of which have increased significantly in recent years.

### **Discussion**

For over 25 years, the Police Department has contracted with Law Enforcement Medical Services (LEMS) to perform medical evidence collection services including: phlebotomy, Taser dart removal, and sexual assault exams.

Medical evidence collection is critical to successful prosecution of DUI and sexual assault cases. The District Attorney's office may choose not to proceed in the prosecution of these cases if the medical evidence is not collected by licensed professionals.

LEMS is currently under contract with the City until 2026 to perform these services. Although the cost for each of the services was agreed to under contract, the number of services requested per fiscal year is dependent on several variables that can only be estimated from past years. As such, a purchase order for \$100,000 was established with LEMS in 2023.

In FY21/22, the total amount remitted to LEMS was \$83,352. This included 684 phlebotomy procedures, 73 sexual assault evidence kits, and the fees for being on-call.

In FY22/23, the total was \$78,698. This included 409 phlebotomy procedures, 58 sexual assault evidence kits, and the on-call fee. These were the final years under the previous contract pricing.

For the period of July 1, 2023 through April 30, 2024, the total is \$102,030. This includes 347 phlebotomy procedures, 61 sexual assault evidence kits and the monthly on-call fees. While the total numbers coincide with data from previous years, this is the first year under the current fee schedule established in the contract.

The requested purchase order increase would allow for payment of LEMS services for the remainder of the year.

Staff is recommending that the Law Enforcement Medical Services purchase order for the current fiscal year (FY2023/24) be increased to \$130,000. This purchase order increase will not cause an increase to the Police Department's FY 2023/24 budget.

### **2021-2025 Strategic Targets and Goals**

The request to authorize the City Manager to increase the current purchase order with Law Enforcement Medical Services aligns with Key Target No. 1: Improved Operational & Financial Capacity: Implement, maintain, and update a fiscal accountability plan.

### **Fiscal Impact**

There is no General Fund impact. There is sufficient funding appropriated in the FY23/24 operating budget for this item.

### **Conclusion**

It is recommended that the Mayor and City Council of the City of San Bernardino, California,

1. Authorize the City Manager to execute Amendment No.1 to the Professional Services Agreement with Law Enforcement Medical Services (LEMS), increasing the not to exceed amount by \$30,000, for a total contract amount of \$130,000; and
2. Authorize the Director of Finance and Management Services to increase the purchase order for Law Enforcement Medical Services to an amount not to exceed \$130,000.

### **Attachments**

Attachment 1	Original Professional Services Agreement
Attachment 2	Amendment No.1

### **Ward:**

All Wards

### **Synopsis of Previous Council Actions:**

On July 19th, 2023 the Mayor and City Council authorized the Director of Finance to issue an annual Purchase Order in the amount of \$100,000 beginning in FY23/24 and continuing for three years (July 1, 2023 through June 30, 2026), with a two year option to expand.