



## Suspension of Competition Acquisition Request

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### 1. Fully describe the product(s) and/or service(s) being requested.

The Fresno County Department of Public Health (FCDPH) Child RideSafe (CRS) Program seeks a contractor to provide education classes in Fresno County on the topic of child passenger safety, vehicle restraint systems and current car seat laws to income-eligible and residency-eligible community members and court-ordered vehicle code violators. Classes include an opportunity to purchase low-cost child passenger safety restraint (car seat) supplied by the County. Additionally, the contractor is required to maintain advanced professional credentials and formal certification for the ability to conduct intensive week-long bi-annual courses which graduate participants as Certified Passenger Safety Technicians (CPST) under a nationally-approved curriculum and stringent testing protocol.

### 2. Identify the selected vendor and contact person; include the address, phone number and e-mail address for each.

Kimberly Wilson, d.b.a. BabySafe of Fresno  
2037 West Bullard Avenue #301 Fresno CA 93711  
559-432-2223 kim@babysafefresno.com

### 3. What is the total cost of the acquisition? If an agreement, state the total cost of the initial term and the amounts for potential renewal terms.

Initial 3-year term: \$22,100.00 annually for a total not to exceed \$66,300. Subsequent 12-month renewals: \$22,100 annually.

### 4. Identify the unique qualities and/or capabilities of the service(s) and/or product(s) that qualify this as a Suspension of Competition acquisition.

Two persons in Fresno County are qualified as Lead Instructors to conduct CPST courses; these are: Kim Wilson under BabySafe of Fresno and Sandra Martinez as an employee of the California Highway Patrol (CHP). Under the current agreement P-14-297-L as contractor, Kim Wilson conducts CPST courses. The CRS contractor is expected to provide training not only for the aforementioned CPST courses but conduct education classes in the community which can be attended by income-eligible violators of vehicle code / car seat safety laws due to a court order (with the opportunity to obtain a low-cost car seat). Perception of a conflict of interest may potentially occur if CHP citations were given to car seat law violators which would then generate attendance at education classes under the agreement with CRS. The question arises of whether or not it would seem appropriate for classes to be provided by a contracted vendor who is employed by CHP and receives funds through the agreement with CRS. Kim Wilson is an independent business owner / operator and is not employed by local law enforcement agencies.

Both Kim Wilson and Sandra Martinez have obtained a Special Needs Certificate which allows the holder to assess the safety status / appropriate model of a car seat within a vehicle intended for a special needs child. Kim Wilson has held the Special Needs Certificate since June 2016 and this credential enhances her contribution to the expectations of the agreement with CRS.

As described previously, Kim Wilson, d.b.a. BabySafe of Fresno, not only conducts the CPST courses but additionally provides comprehensive 3-hour-long education classes which are scheduled in advance at a variety of sites and widely advertised / promoted. This allows potential attendees to plan ahead. Each class is given in a group setting which lends itself to interaction among participants to the benefit of all. A post-class evaluation is required to be completed by each participant, i.e., both community members and court-ordered violators complete an evaluation at the end of the class. Evaluation results are archived in monthly reports to the CRS Program. Historical review of the evaluations indicate that satisfaction rates are consistently high and many participants express a desire for classroom sessions even longer than 3 hours because of the depth of knowledge gained by parents regarding vehicle passenger safety for children. If participants bring their own vehicle to the class session, Kim Wilson is able to assist with installation checks of the new car seats upon conclusion of the class. Kim Wilson can also make a car seat fit-safety check if the participant's child is also available at the end of class.

Distinct from this BabySafe of Fresno model, CHP interacts with individual community members only on an as-needed basis by appointment for a car-seat check-up within the family vehicle (determination of correct installation, expiration date, history of seat, age-appropriate for child). Information regarding car seat laws / safety is provided at the time of the check-up. Group presentations for parents are done by CHP staff only upon invitation from organizations such as Head Start.

5. Identify from Administrative Policy #34 what circumstances constitute a Suspension of Competition.

- In an emergency when goods or services are immediately necessary for the preservation of the public health, welfare, or safety, or for the protection of County property.
- When the contract is with a federal, state, or local governmental agency.
- When the department head, with the concurrence of the Purchasing Agent, finds that the cost of preparing and administering a competitive bidding process in a particular case will equal or exceed the estimated contract amount or \$1,000 whichever is more.
- When a contract provides only for payment of per diem and travel expenses and there is to be no payment for services rendered.
- When obtaining the services of expert witnesses for litigation or special counsel to assist the County.
- When in unusual or extraordinary circumstances, the Board of Supervisors or the Purchasing Agent/Purchasing Manager determines that the best interests of the County would be served by not securing competitive bids or issuing a request for proposal.

6. Explain why the unique qualities and/or capabilities described above are essential to your department.

The vendor contracted under the CRS Agreement P-14-297-L must be able to bridge an array of capabilities in performance of expectations. These include: 1) maintain current Lead Instructor credential status to be able to conduct CPST courses; 2) provide education classes for eligible community members in the general public; 3) provide education classes for eligible court-ordered violators of car seat safety laws. As the only local independent business owner / operator with substantial expertise in the area of child passenger safety & relevant laws as well as documentable, quantifiable success during years of service under contract with the County of Fresno CRS Program, Kim Wilson represents the most appropriate choice to continue in this role for the Fresno County Department of Public Health.

7. Provide a comprehensive explanation of the research done to verify that the recommended vendor is the only vendor with the unique qualities and/or capabilities stated above. Include a list of all other vendors contacted, what they were asked, and their responses.

An internet query to [www.cert.safekids.org](http://www.cert.safekids.org) identifies CPST & Lead Instructors by city and state. Sandra Martinez, CHP, appears in the search results. On Tuesday, March 14, 2017, Sandra Martinez was reached by telephone from FCDPH CRS at the Brix / Mercer Building and a 20-minute conversation ensued wherein the following questions were asked & responses given: 1) as an employee of the CHP and as a Lead Instructor, do you conduct CPST courses in Fresno County - 1b) answer was yes; 2) do you provide education classes on the topic of child passenger / car seat safety to members of the general public / community in Fresno County - 2b) answer was qualified with these details, CHP interacts with individual community members only on an as-needed basis by appointment for a car-seat check-up within the family vehicle (determination of correct installation, expiration date, history of seat, age-appropriate for child) and information regarding car seat laws / safety is provided at the time of the check-up. Check-up is done at CHP location of 1382 West Olive Avenue in Fresno, CA. Group presentations for parents are done by CHP staff only upon invitation from organizations such as Head Start but can be done at another site besides the CHP office on Olive Avenue; 3) do you provide education classes to income-eligible traffic violators who are court-ordered to attend due to citation under child car seat safety law - 3b) answer was no.

Margarita Solano and other staff at the Clovis Police Department (PD) have collaborated closely with Kim Wilson over the years to fulfill car seat safety education needs of individuals as well as community organizations. Clovis PD and others routinely make referrals to Kim Wilson so that inquiries, class schedules, appointments at check-up events can be accommodated. Additionally, Kim Wilson owns nearly all of her equipment that is used for the CPST courses as well as for the education classes and which Kim Wilson transports in her personal equipment trailer. To enhance training capabilities, FCDPH has loaned Kim Wilson the Vehicle Passenger Safety Chair - a car seat simulator - for the term of her current agreement with CRS.

With all factors considered and taken into account, Kim Wilson, d.b.a. BabySafe of Fresno, is uniquely qualified as the appropriate choice for the agreement with FCDPH CRS Program.

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Requested By:

Title

I approve this request to suspend competition for the service(s) and/or product(s) identified herein.

dpomaville 6/25/2018 10:39:58 AM

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Department Head Signature

gcornuelle 7/18/2018 1:17:07 PM

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Purchasing Manager Signature