



Board Agenda Item 68

DATE: June 20, 2023

TO: Board of Supervisors

SUBMITTED BY: David Luchini, RN, PHN, Director of Public Health

SUBJECT: Agreements for Dispatch Services at the Fresno County Emergency Medical Services Communications Center

RECOMMENDED ACTION(S):

1. Approve and authorize the Chairman to execute a revenue Agreement with the City of Sanger, for dispatch services for the City of Sanger Fire Department through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2023, through June 30, 2026 (\$53,616).
2. Approve and authorize the Chairman to execute an Agreement with K.W.P.H. Enterprises, d.b.a. American Ambulance, for City of Sanger Fire Department dispatch services through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2023, through June 30, 2026 (\$45,261).
3. Approve and authorize the Chairman to execute a revenue Agreement with the City of Fresno, for dispatch services for the City of Fresno Fire Department through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2023, through June 30, 2026 (\$3,086,756).
4. Approve and authorize the Chairman to execute an Agreement with K.W.P.H. Enterprises, d.b.a. American Ambulance, for City of Fresno Fire Department dispatch services through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2023, through June 30, 2026 (\$2,867,838).
5. Approve and authorize the Chairman to execute a revenue Agreement with Pistoresi Ambulance Service, for dispatch services through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2023, through June 30, 2026 (\$1,050,528).
6. Approve and authorize the Chairman to execute an Agreement with K.W.P.H. Enterprises, d.b.a. American Ambulance, for dispatch of Pistoresi Ambulance Services through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2023, through June 30, 2026 (\$933,303).
7. Approve and authorize the Chairman to execute a revenue Agreement with Sierra Ambulance Service, for dispatch services through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2023, through June 30, 2026 (\$324,132).
8. Approve and authorize the Chairman to execute an Agreement with K.W.P.H. Enterprises, d.b.a. American Ambulance, for dispatch of Sierra Ambulance Services through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2023, through June 30, 2026 (\$288,072).
9. Approve and authorize the Chairman to execute a revenue Agreement with KWPH Enterprises, d.b.a. American Ambulance, for dispatching of their ambulances in Kings County through the Fresno County Emergency Medical Services Communications Center, effective July 1, 2023 through June 30, 2026 (\$108,126).

There is no additional Net County Cost associated with the recommended actions. Approval of the recommended actions will continue the provision of dispatch services for the fire departments in the Cities of Fresno and Sanger, and ambulance providers in Madera and Kings Counties. Each agreement includes a separate agreement with American Ambulance for actual provision of dispatch services and to pass-through funds received from the city fire departments and ambulance service providers for reimbursement of personnel and dispatch costs provided by American Ambulance. The County retains a portion to offset County costs, with no increase in Net County cost. This item is countywide, however, it includes services outside County jurisdiction which is necessary because of the EMS Communications Center's regional functions.

ALTERNATIVE ACTION(S):

There are no viable alternative actions. Should your Board not approve the recommended actions, the Cities of Fresno and Sanger will need to find another dispatch center for their fire departments, the identified Madera County ambulance providers would need to find other alternatives for dispatch services, and American Ambulance would need to find other alternatives for dispatch services for its Kings County operations.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The recommended agreements are fully funded with pass-through revenue(s) from the Cities. The total revenue and costs for each recommended agreement are outlined below:

Sanger - Revenue Agreement

Year One (7/1/2023 - 6/30/2024): \$17,346
Year Two (7/1/2024 - 6/30/2025): \$17,868
Year Three (7/1/2025 - 6/30/2026): \$18,402
Term Maximum: \$ 53,616

American Ambulance - Sanger - Agreement

Year One (7/1/2023 - 6/30/2024): \$14,790
Year Two (7/1/2024 - 6/30/2025): \$15,084
Year Three (7/1/2025 - 6/30/2026): \$15,387
Term Maximum: \$ 45,261
Department retains \$8,353

City of Fresno - Revenue Agreement

Year One (7/1/2023 - 6/30/2024): \$1,008,612
Year Two (7/1/2024 - 6/30/2025): \$1,028,784
Year Three (7/1/2025 - 6/30/2026): \$1,049,360
Term Maximum: \$ 3,086,756

American Ambulance - Fresno Agreement

Year One (7/1/2023 - 6/30/2024): \$937,080
Year Two (7/1/2024 - 6/30/2025): \$955,821
Year Three (7/1/2025 - 6/30/2026): \$974,937
Term Maximum: \$ 2,867,838
Department retains \$218,924

Pistoresi - Revenue Agreement

Year One (7/1/2023 - 6/30/2024): \$339,876
Year Two (7/1/2024 - 6/30/2025): \$350,076
Year Three (7/1/2025 - 6/30/2026): \$360,576
Term Maximum: \$ 1,050,528

American Ambulance - Pistoresi Agreement

Year One (7/1/2023 - 6/30/2024): \$304,962
Year Two (7/1/2024 - 6/30/2025): \$311,061
Year Three (7/1/2025 - 6/30/2026): \$317,280
Term Maximum: \$ 933,303
Department retains \$117,225

Sierra - Revenue Agreement

Year One (7/1/2023 - 6/30/2024): \$104,868
Year Two (7/1/2024 - 6/30/2025): \$108,012
Year Three (7/1/2025 - 6/30/2026): \$111,252
Term Maximum: \$ 324,132

American Ambulance - Sierra Agreement

Year One (7/1/2023 - 6/30/2024): \$94,128
Year Two (7/1/2024 - 6/30/2025): \$96,012
Year Three (7/1/2025 - 6/30/2026): \$97,932
Term Maximum: \$ 288,072
Department retains \$36,060

American-Kings - Revenue Agreement

Year One (7/1/2023 - 6/30/2024): \$36,042
Year Two (7/1/2024 - 6/30/2025): \$36,042
Year Three (7/1/2025 - 6/30/2026): \$36,042
Term Maximum: \$ 108,126

The retained revenues will be used to offset County costs, such as personnel and radio equipment. There are no pending invoices pertaining to these agreements. Sufficient appropriations and estimated revenues will be included in the Department's Org 5620 FY 2023-24 Recommended Budget and will be included in subsequent fiscal year budget requests.

DISCUSSION:

The Fresno County EMS Communications Center (Center) is a regional dispatch center responsible for the management and dispatch of all ambulance requests in Fresno, Kings, and Madera Counties. The Center began dispatch services for the City of Sanger in July 2008, City of Fresno in February 2006, Pistoresi and Sierra in 2005, and American Ambulance's Kings County operations in 2000. The prior agreements were passed by your Board on July 7, 2020 for Pistoresi (Agreement Nos. 20-258 and 20-259), Sierra (Agreement Nos. 20-260 and 20-261), and the City of Sanger (Agreement Nos. 20-266 and 20-267); June 22, 2021 for the City of Fresno (Agreement Nos. 21-224 and 21-225); and December 15, 2020 for American Ambulance Kings County dispatch (Agreement No. 20-509).

The proposed revenue agreements with Sanger, Pistoresi, Sierra, and the City of Fresno allow them to continue contracting with the County for dispatch services utilizing the Center, which is staffed and operated by American Ambulance under its exclusive operating Agreement with the County of Fresno.

The proposed service agreements with American Ambulance for dispatch services allows the County to pass-through funds received by the cities and ambulance providers to American Ambulance for dispatch services; and continue services as provided for in prior agreements, which are all set to expire on June 30, 2023.

The proposed revenue agreement with American Ambulance for Kings County dispatch allows them to continue contracting with the County for dispatching services utilizing the Center, which is staffed and operated by American Ambulance under its exclusive operating agreement with the County of Fresno .

The proposed revenue agreements with the Cities of Fresno and Sanger, Sierra, Pistoresi, and American Ambulance for Kings County operations can be terminated without cause by either party with a ninety-day written notice, and either party may terminate the contract if the other party commits a material breach by providing a ten-day written notice, unless the breaching party cures the breach within the ten days.

The proposed American Ambulance service agreements can be terminated without cause by either party with a sixty-day written notice, and either party may terminate the contract if the other party commits a material breach by providing a seven-day written notice, unless the breaching party cures the breach within seven days.

The proposed agreements contain a mutual hold harmless clause and in the event of an act of god, act of public enemy, or other extraordinary cause not reasonably within control of either party, the proposed agreements contain a force majeure clause, which excuses the parties' performance under the agreements.

The proposed revenue agreement with the City of Fresno deviates from the standard insurance language, as the City's Risk Management disagreed with including certain clauses, such as the "Acceptability of Insurers", as the City is self-insured, and the "County's Entitlement to Greater Coverage", allows limitless liability and access to City's excess policies. Insurance language used in the proposed revenue agreement uses language more consistent with the last agreement passed by your Board on June 22, 2021. County's Risk Management strongly recommended leaving those clauses in the agreement, but the Department believes that entering into this agreement with this deviation outweighs any associated risks.

Risk Management has reviewed the agreements, and does not approve of the mutual hold harmless clause for the Sierra, Pistoresi, and American Ambulance agreements, as they are private companies, but the Department believes that the benefits of entering into these agreements outweigh any associated risks, and is consistent with prior agreements.

REFERENCE MATERIAL:

BAI #56, June 22, 2021
BAI #72, December 15, 2020
BAI #39, July 7, 2020
BAI #42, July 7, 2020

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with City of Sanger
On file with Clerk - Agreement with American Ambulance (Sanger)
On file with Clerk - Agreement with City of Fresno
On file with Clerk - Agreement with American Ambulance (Fresno)
On file with Clerk - Agreement with Pistoresi Ambulance Service
On file with Clerk - Agreement with American Ambulance (Pistoresi)
On file with Clerk - Agreement with Sierra Ambulance Service
On file with Clerk - Agreement with American Ambulance (Sierra)
On file with Clerk - Agreement with American Ambulance (Kings County)

CAO ANALYST:

Ronald Alexander