



# Board Agenda Item 23

DATE: May 12, 2020  
TO: Board of Supervisors  
SUBMITTED BY: Margaret Mims, Sheriff  
SUBJECT: Second Amendment to Agreement with Central Valley Toxicology, Inc.

RECOMMENDED ACTION(S):

**Approve and authorize Chairman to execute a Second Amendment to Agreement No. 16-286 with Central Valley Toxicology, Inc. for laboratory testing services, effective upon execution with no change in the term to June 30, 2021, increasing the annual maximum by \$120,000, to \$212,000 per year for the Sheriff-Coroner-Public Administrator costs, increasing the total annual maximum to \$270,000 per year for the Sheriff-Coroner-Public Administrator and District Attorney combined for the current and remaining year of the agreement, with an increase in the total maximum to \$920,000.**

There is no increase in Net County Cost associated with the recommended action. Approval of the recommended increase to \$212,000 for the Sheriff's Office's (Sheriff) portion of the agreement maximum for the current and optional remaining year of the agreement, will allow the Sheriff to send current specimens for laboratory testing. This agreement is for the Sheriff, which includes the Coroner's Office and Forensic Lab, and the District Attorney (DA), but the DA is not requesting changes to their portion of the agreement maximum. This item is countywide.

ALTERNATIVE ACTION(S):

If the recommended action is not approved, the Sheriff's current specimens will wait to be tested, which will eventually prolong incoming specimens from being tested as well. With the Sheriff's caseload increasing every year, the amount originally requested is not enough to cover the total amount of specimens.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The current annual maximum for the Sheriff's portion of the agreement is \$92,000; the requested increase of \$120,000, for a total of \$212,000 will be absorbed within the Sheriff-Coroner-Public Administrator's 3111 FY 2019-20 Adopted Budget. The \$120,000 increase for the remaining optional agreement year will be included in the FY 2020-21 recommended budget.

DISCUSSION:

On June 7, 2016, your Board approved an agreement with Central Valley Toxicology, Inc. for evidentiary and clinical testing services for the District Attorney and Sheriff, not to exceed five consecutive years. The laboratory testing services are used to determine the existence or non-existence of toxicological substances in the human body, and are provided on an as-needed basis. Test results and associated testimony are used as evidence in various criminal proceedings.

The Board approved a first amendment to the agreement on March 20, 2018, to increase the dollar amount for the Sheriff from the maximum cost of the agreement of \$80,000 per year (\$58,000 for the DA and \$22,000 for the Sheriff), with a total maximum of \$400,000 for the five-year period, to \$92,000 for the Sheriff (an increase of \$70,000), and \$150,000 per year, and a \$680,000 five-year maximum.

Approval of the recommended action again amends the agreement to increase the Sheriff's yearly maximum to \$212,000 (an additional increase of \$120,000), in order to cover current laboratory tests and pending invoices for the current fiscal year and remaining term of the agreement. The Sheriff's portion is not to exceed a maximum of \$630,000, and the total agreement compensation limit is \$920,000 for the five-year term. As follows is a breakdown of the current and proposed agreement compensation limits for the Sheriff and DA:

**Current Breakdown of Agreement per year**

- DA \$58,000
  - Sheriff \$92,000
- TOTAL per year \$150,000

**Current Total for five-year Agreement**

- DA \$290,000
  - Sheriff \$390,000
- TOTAL for five years \$680,000

**Requested Agreement Compensation Limits per year**

- DA \$58,000
  - Sheriff \$212,000
- TOTAL per year \$270,000

**Requested Total Compensation Limit**

- DA \$290,000
  - Sheriff \$630,000
- TOTAL for five years \$920,000

**REFERENCE MATERIAL:**

BAI #31, March 20, 2018  
BAI #19, June 7, 2016

**ATTACHMENTS INCLUDED AND/OR ON FILE:**

On file with Clerk - Second Amendment to Agreement

**CAO ANALYST:**

Yussel Zalapa