

CITY OF DANA POINT

AGENDA REPORT

Reviewed By:	
DH	___
CM	__x__
CA	___

DATE: May 26, 2004

TO: CITY MANAGER/CITY COUNCIL

FROM: MIKE ROSE, EMERGENCY SERVICES COORDINATOR

SUBJECT: EMERGENCY AMBULANCE SERVICES CONTRACT EXTENSION

RECOMMENDED ACTION:

That the City Council:

1. Approve the terms of the Second Amendment to the Agreement for the Provision of Emergency Medical Transportation and Related Services Between the City of Dana Point and Herren Enterprises, Inc. (DBA Doctor's Ambulance Service).
2. Authorize the City Manager to execute the Agreement Amendment.

ISSUE:

The current ambulance services agreement is due to expire on July 1, 2004. Due to unforeseen delays in the administration and completion of the Orange County Fire Authority administered RFP process, the final selection and award of exclusive operating area contracts within the OCFA jurisdictional areas will not be completed in time for successful bidders to take over and commence services immediately following this expiration date.

BACKGROUND:

On July 1, 1998, the Orange County Fire Authority (OCFA) Board of Directors entered into contracts with ambulance providers for Emergency Medical Transportation and related services within the boundaries of its contract cities. The OCFA administers the ambulance contract on behalf of the City of Dana Point. The current ambulance service contract is due to expire on July 1, 2004.

DISCUSSION:

On April 28, 2004, Staff submitted a receive and file report that described the current progress of the OCFA Emergency Ambulance Provider RFP process. In that report,

Staff indicated that it may become necessary to extend the existing Ambulance Service Provider contracts to ensure coverage continues until such time as the RFP process is complete and new agreements can be entered into by all affected agencies. In a letter dated May 3, 2004, the OCFA officially requested that the City extend our existing agreement with Herren Enterprises (DBA Doctor's Ambulance Service) for a period of two months ending at midnight on August 31, 2004.

Staff supports this request and is recommending the approval of the attached amendment.

FISCAL IMPACT:

None

ALTERNATIVE ACTIONS:

None

NOTIFICATION/FOLLOWUP:

1. Herren Enterprises, (949) 951-6600
2. John Howlind, Battalion Chief, OCFA Emergency Medical Services Section, (714) 573-6071.

ACTION DOCUMENTS:

A. [Amendment](#)

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SUPPORTING DOCUMENTS:

None

ACTION DOCUMENT A

**SECOND AMENDMENT
TO
AGREEMENT FOR PROVISION OF
EMERGENCY MEDICAL TRANSPORTATION AND RELATED SERVICES
BETWEEN
THE CITY OF DANA POINT
AND
HERREN ENTERPRISES, INC. (DBA DOCTOR'S AMBULANCE SERVICE)**

(ASA No. 39 – Dana Point)

THIS SECOND AMENDMENT TO THE AGREEMENT FOR PROVISION OF EMERGENCY MEDICAL TRANSPORTATION AND RELATED SERVICES (the "Amendment") is made and effective as of July 1, 2004, by and between the City of Dana Point - a California municipal corporation, hereinafter referred to as "City", and Herren Enterprises, Inc. (DBA, Doctor's Ambulance Service), hereinafter referred to as "Contractor."

RECITALS

A. On June 23, 1998, the City and Contractor entered into that certain agreement entitled "Agreement for Provision of Emergency Medical Transportation and Related Services Between City of Dana Point and Herren Enterprises, Inc. (DBA, Doctor's Ambulance Service)," concerning the provision and administration of exclusive emergency medical transportation services within Ambulance Service Area ("ASA") No. 39 – Dana Point (the "1998 Agreement").

B. On January 23, 2001, the City and Contractor entered into an agreement to extend the term of the original 1998 Agreement, pursuant to Section 15, subsection (C) of the Agreement, for three years commencing on July 1, 2001, which shall automatically expire on July 1, 2004 (the "First Amendment").

C. On December 22, 2003, the Orange County Fire Authority ("OCFA") requested applications from qualified private ambulance service operators for the award of new exclusive operating contracts within its jurisdictional areas effective July 1, 2004. Providers were pre-qualified to bid on February 11, 2004. On February 19, 2004, OCFA issued its Request for Proposals for Fire/EMS Emergency Ambulance Transportation and Related Services (RFP #RL972). Pre-qualified providers submitted bids in response to RFP #RL972 on May 10, 2004. All bids received by OCFA in response to RFP #RL972 are currently under review.

D. Due to unforeseen delays in the administration and completion of RFP #RL972, the final selection and award of exclusive operating area contracts within the OCFA jurisdictional areas will not be completed in time for successful bidders to take over and commence services at 12:01 a.m., July 1, 2004.

E. Therefore, for purposes of protecting public health and safety, the City and Contractor now desire to extend the original 1998 Agreement, under the same terms and conditions, for a period of no more than two months in order to ensure that (a) there is no interruption of services; (b) there is a proper and orderly transition of services; and, (c) there is adequate time for any successor ambulance service operator to take over ambulance service operations and assume full responsibility for the provision of exclusive emergency ambulance transportation services within the designated service area.

NOW, THEREFORE, for valuable consideration, receipt of which is hereby acknowledged, and in consideration of the foregoing recitals, which are hereby incorporated by reference into the agreement below, the City and Contractor agree as follows:

AGREEMENT

1.0 Second Amendment to 1998 Agreement.

1.1 Section 15, subsection (A), of the original 1998 Agreement shall hereby be amended to read as follows:

“A. Agreement Start Date. This Second Amendment shall extend the Agreement effective 12:01 a.m., July 1, 2004, at which time the Contractor shall be required to continue to provide exclusive 911-fire/emergency ambulance transportation and related services within the designated Ambulance Service Area.”

1.2 Section 15, subsection (B), of the original 1998 Agreement shall hereby be amended to read as follows:

“B. Term of Contract. The term of this Agreement shall be two months and shall automatically terminate at midnight, on August 31, 2004.”

2.0 No Other Amendments.

2.1 All other terms and conditions of the 1998 Agreement shall remain in full force and effect, unless amended herein.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as follows, to be effective on July 1, 2004.

HERREN ENTERPRISES, INC. (DBA DOCTOR'S AMBULANCE SERVICE):

_____ Date: _____

Name: _____

Title: _____

CITY OF DANA POINT:

By: _____ Date: _____

Doug Chotkevys, City Manager

APPROVED AS TO FORM:

By: _____

Patrick Munoz, City Attorney

ATTEST:

By: _____

Sharon Street, City Clerk