



Agenda Memorandum

Agenda Item – {{section.number}}.F.

City Council Meeting
August 28, 2023



Strategic Priority 2: Proactive Public Safety

Enhance public safety to emphasize both prevention and enforcement, engage the community through education and outreach and provide the resources necessary to ensure safety and well-being throughout Westminster.

Subject: Ratification of Sole Source Vendor Expenditures for Injury Care Associates

Prepared By: Robert Hose, Deputy Fire Chief

Recommended City Council Action:

Based on the recommendation of the City Manager, find that the public interest would be best served by ratifying sole source vendor purchases made in 2023 with Injury Care Associates not to exceed \$70,000; authorize sole vendor status to Injury Care Associates for 2024, 2025 and 2026; and authorize associated expenditures in the amount not to exceed \$75,000 per year for the years 2024, 2025, and 2026 subject to annual appropriation.

Summary Statement:

- The Fire Department provides annual medical check-ups, cardiac testing, blood screens, and other physical tests for its personnel.
- These tests have historically been performed through different vendors.
- The providers merged and consolidated their services under Injury Care Associates in 2022.
- Due to this consolidation, the fees paid for these separate services are above the sole source threshold and require sole vendor authorization from City Council.
- Due to the level of expertise and specificity of testing provided by these providers, the Fire Department recommends continuing with Injury Care Associates as the sole vendor for this testing.
- City Council is requested to ratify the sole source vendor purchases made in 2023 with Injury

Care Associates in the amount not to exceed \$70,000.

- In addition to ratifying expenditures for 2023, City Council is requested to authorize the Fire Department to use Injury Care Associates as the sole vendor for testing in 2024, 2025, and 2026 in the amount not to exceed \$75,000/year subject to annual appropriation.

Fiscal Impact:

Not to exceed \$70,000 in 2023; not to exceed \$75,000/year in 2024, 2025, and 2026

Source of Funds:

General Fund: Fire Department Operating Budget

Policy Issue(s):

1. Does City Council support the sole vendor ratification of expenditures for medical and cardiac fitness testing with Injury Care Associates in 2023?
2. Does City Council support authorizing Injury Care Associates as a sole vendor for the Fire Department in 2024, 2025 and 2026 in the amount not to exceed \$75,000/year subject to annual appropriations?

Alternative(s):

1. City Council could choose to not ratify the sole vendor expenditures with Injury Care Associates. This is not recommended as Injury Care Associates provides a great deal of services and specialty medical testing related specifically to the fire service.
2. City Council could choose to not support sole vendor status with Injury Care Associates for the years of 2024, 2025, and 2026 nor the not to exceed expenditure amount of \$75,000/year subject to annual appropriations. This is not recommended as a strong relationship exists with Injury Care Associates. Their various services have been vetted. Injury Care Associates provides specific, targeted examinations, and interventions unique to the fire service. Approval for the upcoming years will allow for a smooth continuation of services and record keeping.

Background Information:

The Fire Department has provided physical examinations for its personnel for several decades. These examinations include typical medical examinations, pulmonary function, cardiac health, and fitness testing, as well as educational, tracking, nutritional, and counseling sessions. Over the years, the testing has remained relatively steady among providers, with changes occurring as providers retire or change practices. For the past several years, Injury Care Associates have provided the base physical examinations for fire personnel. This has provided continuity and the ability to track trends with personnel.

A different provider, Dr. Alisha Koval, was being used for additional focused testing, education, and awareness for the fire department. This provider specializes in fire service injury, health, and safety.

For several years, Injury Care Associates and Dr. Koval had a business relationship, with billing for services remaining with each individual entity. At the end of 2022 these two services merged, with all medical services being delivered under the Injury Care Associates banner and all billing being done

through Injury Care Associates. All expenditures related to medical testing and examinations were consolidated under one vendor. The Fire Department was unaware of the billing consolidation until mid-2023 when the invoices for services were received from Injury Care Associates. Upon reviewing these invoices, it was determined that the expenditures to the now sole vendor triggered the requirement for City Council's approval for sole vendor status for 2023. As of July, the Fire Department has expended, and has invoices pending, that total \$54,834 to Injury Care Associates. Staff requests City Council's ratification for these expenditures incurred in 2023 and authorization to expend up to a total of \$70,000 through year-end 2023 through Injury Care Associates as a sole source vendor.

As Injury Care Associates has been performing the examinations for a number of years, and as Dr. Koval continues to provide additional testing under the Injury Care Associates banner, the Fire Department requests approval to continue using these practitioners for medical testing and examinations. There is a consistency in care, a strong history of assistance, and a continuity of recordkeeping that is important to the Fire Department. As such, the Fire Department is requesting City Council to authorize sole vendor status for Injury Care Associates for 2024, 2025, and 2026. Authorization up to \$75,000 is requested per year, subject to annual appropriations, to address potential increased costs associated with the delivery of services and proposed increased staff within the Fire Department for 2024.

Ratifying these purchases helps meet the City's Strategic Goal of Proactive Public Safety by providing the Fire Department with multiple medical testing components to ensure a healthy, safe, and qualified staff who are ready and fit for emergency responses.

Respectfully Submitted,

A handwritten signature in black ink that reads "Mark A Freitag". The script is cursive and fluid, with the first letters of each word being capitalized and prominent.

Mark A. Freitag
City Manager