

## **RESOLUTION NO. 079078(a-d)**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION A) AMENDING AGREEMENT 0718917(a) WITH DR. THOMAS ROGERS, M.D., TO REVISE THE TERMS OF PAYMENT FOR THE PROVISION OF FORENSIC PATHOLOGY SERVICES TO INCLUDE A 4% INCREASE PER YEAR FOR COST-OF-LIVING ADJUSTMENTS AND DECREASE THE NOT-TO-EXCEED AMOUNT BY \$529,754.00 FROM \$639,574.00 TO \$110,000.00; B) AMENDING AGREEMENT 0718917(c) WITH FORENSIC DOCTORS GROUP, PC, OWNED BY DR. MICHAEL HUNTER, M.D., TO REVISE THE TERMS OF PAYMENT FOR THE PROVISION OF FORENSIC PATHOLOGY SERVICES TO INCLUDE A 4% INCREASE PER YEAR FOR COST-OF-LIVING ADJUSTMENTS AND DECREASE THE NOT-TO-EXCEED AMOUNT BY \$190,000.00 FROM \$300,000.00 TO \$110,000.00; C) AMENDING AGREEMENT 0718917(b) WITH PATHEMIS, PC, OWNED BY DR. ANGELLE CHEN, M.D., TO REVISE THE TERMS OF PAYMENT FOR THE PROVISION OF FORENSIC PATHOLOGY SERVICES TO INCLUDE A 4% INCREASE PER YEAR FOR COST-OF-LIVING ADJUSTMENTS AND DECREASE THE NOT-TO-EXCEED AMOUNT BY \$529,754.00 FROM \$639,574.00 TO \$110,000.00; D) AUTHORIZING AN AGREEMENT WITH NAAG PATHOLOGY LABS, PC, OWNED BY DR. EVAN MATSHES, M.D., FOR THE PROVISION OF FORENSIC PATHOLOGY SERVICES FOR THE TERM OF AUGUST 7, 2022 THROUGH AUGUST 6, 2025 AND A NOT-TO-EXCEED AMOUNT OF \$2,497,280.00; AND E) GRANTING A WAIVER OF THE COMPETITIVE BIDDING PROCESS FOR THE PROVISION OF THE ABOVE FORENSIC PATHOLOGY SERVICES PURSUANT TO COUNTY ORDINANCE CODE SECTION 2.83.050(e)**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that:

**WHEREAS**, there has been presented to this Board for consideration approval of the amendments to the agreements for the provision of forensic pathology services with Dr. Thomas Rogers, M.D. ("Dr. Rogers"), Forensic Doctors Group, PC, owned by Dr. Michael D. Hunter, M.D. ("Forensic Doctors Group"), and Pathemis, PC, owned by Dr. Angellee Chen, M.D. ("Pathemis"); approval of the agreement for the provision of forensic pathology services with NAAG Pathology Labs, PC, owned by Dr. Evan Matshes, M.D. ("NAAG Pathology Labs"); and approval of a request for the waiver of the competitive

bidding process for the provision of the above forensic pathology services by NAAG Pathology Labs pursuant to County Ordinance Code 2.83.050(e); and

**WHEREAS**, under the amended agreements with Forensic Doctors Group, Dr. Rogers, and Pathemis, the term of each agreement will remain July 1, 2022 through June 30, 2025, the payment terms will be amended to include an annual 4% cost-of-living adjustment, and the not-to-exceed amount of each agreement will be reduced to \$110,000 (collectively, the “Amendments”); and

**WHEREAS**, the term of the agreement with NAAG Pathology Labs is August 7, 2022 through August 6, 2025 and the not-to-exceed amount is \$2,497,280; and

**WHEREAS**, the combined maximum fiscal obligation under all four agreements will total \$2,827,280 ( $\$2,497,280 + \$110,000 + \$110,000 + \$110,000$ ), which is within the three-year budgeted amount for forensic pathology services; and

**WHEREAS**, the Board desires to enter into the Amendments and the agreement with NAAG Pathology Labs; and

**WHEREAS**, the Board, which previously waived the competitive bidding process for the provision of forensic pathology services under the agreements with Forensic Doctors Group, Dr. Rogers, and Pathemis, similarly finds it is in the best interests of the County to waive the competitive bidding process for the provision of forensic pathology services under the agreement with NAAG Pathology Labs pursuant to County Ordinance Code 2.83.050(e) because, as physicians and physician groups providing medical services, NAAG Pathology Labs is specifically exempt from the competitive bidding process under County Administrative Memorandum B-1, Section IV.B.15, and,

furthermore, is staffed by board-certified forensic pathologists, of which there are less than 500 in the entire United States and services of which are required for the San Mateo County Coroner's Office (the "Coroner's Office") to maintain its accreditation under the International Association of Coroners and Medical Examiners.

**NOW, THEREFORE, BE IT RESOLVED** that the Coroner's Office is authorized and directed to enter into the Amendments with Forensic Doctors Group, Dr. Rogers, and Pathemis and the agreement with NAAG Pathology Labs for the provision of forensic pathology services, and a waiver of the competitive bidding process for the provision of forensic pathology services under the agreement with NAAG Pathology Labs is granted pursuant to County Ordinance Code 2.83.050(e).

**IT IS FURTHER RESOLVED** that the Coroner's Office is authorized to enter into additional amendments which modify the County's maximum fiscal obligation by no more than \$25,000 for each of the three Amendments and the agreement with NAAG Pathology Labs (\$100,000 in total), and/or modify the term and/or services so long as the modified term or services is/are within the current or revised fiscal provisions.

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RESOLUTION NUMBER: 079078(a-d)

*Regularly passed and adopted this 2<sup>nd</sup> day of August, 2022*

*AYES and in favor of said resolution:*

*Supervisors:*

DAVE PINE

CAROLE GROOM

DON HORSLEY

WARREN SLOCUM

DAVID J. CANEPA

*NOES and against said resolution:*

*Supervisors:*

NONE



President, Board of Supervisors  
County of San Mateo  
State of California

***Certificate of Delivery***

*I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.*



Assistant Clerk of the Board of Supervisors