



County of San Mateo

Inter-Departmental Correspondence

Department: CORONER

File #: 19-165

Board Meeting Date: 2/26/2019

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: Robert J. Foucrault, Coroner
Subject: Forensic Pathology Agreements with Dr. Thomas W. Rogers, and Dr. Peter A. Benson

RECOMMENDATION:

Adopt a resolution authorizing:

- A) Waiving the Request for Proposal (RFP) process and authorizing agreements with Dr. Thomas W. Rogers and Dr. Peter A. Benson for the provision of forensic pathology services each with the term March 1, 2019 through February 28, 2021 and each in an amount not to exceed \$444,534; and
- B) Authorizing the Coroner to execute subsequent amendments and minor modifications not to exceed \$25,000 in aggregate for each contract and to make minor changes in the types of services and activities provided under the agreements.

BACKGROUND:

The Coroner's Office is mandated by law to investigate and determine the cause and manner of death in all violent, sudden or unusual deaths. The San Mateo County Coroner's Office contracts with Pathologists certified by the American Board of Forensic Medicine or Forensic Pathologists in order to provide the highest-level quality of service in determining the cause of death for the citizens of San Mateo County (the "County").

DISCUSSION:

The San Mateo County Coroner's Office has contracted with Thomas W. Rogers, M.D. since May 2003 and Peter A. Benson, M.D. since 1968 to perform autopsies and clinical inspections on those individuals who have died in the County under circumstances where the cause is not clear or is unusual. Dr. Rogers and Dr. Benson bring with them a high level of service, reliability, professionalism, and experience.

The Coroner's Office is requesting a waiver of the RFP process because, as physicians, Dr. Rogers and Dr. Benson are specifically exempt from the process under County Administrative Memorandum B-1, § IV.B.15. Moreover, they are only two of less than 500 full-time licensed practicing, board

certified Forensic Pathologists in the entire United States. Thus, there are an extremely limited number of qualified and available medical professionals to perform these services.

Both Dr. Rogers and Dr. Benson have assured compliance with the County's Contractor Employee Jury Service Ordinance, as well as all other contract provisions that are required by County ordinance and administrative memoranda.

County Counsel has reviewed and approved the resolution and agreements as to form. Risk Management has reviewed and approved the insurance.

Approval of these agreements contributes to the Shared Vision 2025 outcome of the Healthy Community by providing thorough, independent, and high-quality examinations of all deceased persons falling under the jurisdiction of the Coroner.

PERFORMANCE MEASURE:

Medicolegal death investigation office accreditation board, International Association of Coroners and Medical Examiners, recommends the completion of all autopsy reports within 60 calendar days of autopsy performance as a forensic pathology best practice.

| Measure | FY 2017-18 Actual | FY 2018-19 Projected |
|--|-------------------|----------------------|
| % of autopsy reports completed within 60 days | 97 | 98 |
| Average number of days elapsed from date of autopsy performance to date of autopsy report completion | 41 | 44 |

FISCAL IMPACT:

The term of the agreements is from March 1, 2019 through February 28, 2021. The total obligation under these agreements is \$444,534.00 for each contract. There are no increases currently scheduled.