



# AGENDA REPORT


**TO:** Jestin D. Johnson  
City Administrator

**FROM:** Damon Covington  
Fire Chief

**SUBJECT:** Annual Physical Exam for Firefighters

**DATE:** March 13, 2025

City Administrator Approval

  
Jestin Johnson (Mar 14, 2025 10:30 PDT)

Date: Mar 14, 2025

## RECOMMENDATION

**Staff Recommends That The City Council Adopt A Resolution: (1) Authorizing The City Administrator To Enter Into A Professional Services Agreement With Agile Occupational Medical Center To Provide Annual Physical Examinations Of Sworn Oakland Fire Department (Department) Employees For The Period Of March 1, 2024, Through February 28, 2026, In An Amount Not To Exceed Eight Hundred And Fifty Thousand Dollars (\$850,000.00), With An Option To Extend The Agreement For One Year Until February 28, 2027, At A Cost Of Up To Four Hundred Twenty Five Thousand Dollars (\$425,000.00), And Without Returning To Council, For A Total Amount Not To Exceed One Million Two Hundred Seventy-Five Thousand Dollars (\$1,275,000.00); (2) And Waiving The City's Request For Proposals/Qualifications Process And Purchasing Requirements, And The Local And Small Local Business Enterprise Program Requirements For The Proposed Agreement.**

## EXECUTIVE SUMMARY

Adoption of the proposed resolution will result in compliance with Article 5 of the current Memorandum of Understanding (MOU) between the City of Oakland and Local 55, the labor union which represents the sworn members of the Oakland Fire Department (OFD). The MOU states that all bargaining unit members are required to take an annual physical examination paid for by the City of Oakland.

## BACKGROUND / LEGISLATIVE HISTORY

In 2019, the Fire Administration learned through discussions with Local 55 that OFD members were unsatisfied with the existing processes, facilities, and staffing provided by a former vendor. As a result, it was decided by OFD Administration to initiate a competitive bid process. Two vendors submitted proposals, and it was deemed that EOMC offered a more favorable proposal and was, therefore, selected.

In March 2020, the City Council adopted [Resolution Number 88086](#) C.M.S which authorized the City to enter into an agreement with Emeryville Occupational Medical Center (now known as Agile Occupational Medical Center) to provide annual physical examinations of sworn Oakland

Public Safety Committee  
March 25, 2025

Fire Department employees for the period of March 1, 2020, through February 28, 2022, in an amount not to exceed eight hundred and fifty thousand dollars (\$850,000.00). The Department has exhausted the two available one-year extensions, and the last contract expired in mid-2024.

The Fire Department is seeking urgent legislative action to ensure it may continue to utilize this service, which is required in the current MOU between the City and Local 55. Ratifying this proposed resolution will ensure that the Department may continue making payments to the current vendor as it seeks to solicit applicants to provide this service on a long-term basis.

Human Resources, Risk Management, and the Office of the Fire Chief are currently considering new criteria and an updated timeline for a new RFP process for this service.

### **ANALYSIS/POLICY ALTERNATIVES**

It is essential to the Oakland community that emergency response employees are physically healthy. Annual health screenings provide a vehicle for early detection of health related problems that could negatively impact an employee's ability to perform his/her firefighting duties.

Entering into an agreement with Agile Occupational Medical Center is in alignment with the citywide priority of advancing **holistic community safety**, as the health and well-being of firefighters and first responders have a direct connection to the safety and security of the community those firefighters serve.

Firefighter annual health screenings include blood pressure, weight, heart rate monitoring, and pulmonary function test, in addition to a CAL/OSHA required tuberculosis testing. The mandated tuberculosis testing ensures that the department is compliant with CAL/OSHA standards, avoiding costly penalties. A pulmonary function test is required in relation to firefighter personnel's ability to wear the firefighter Self Contained Breathing Apparatus (SCBA). Firefighter health screenings are administered in accordance with Article 5 – Health and Fitness for Duty of the current Memorandum of Understanding (MOU) between the City of Oakland and Local 55. Under the existing scheduling plan, up to sixteen (16) sworn employees are examined each week. This ensures that all sworn Local 55 members are examined annually.

The Oakland Fire Department has previously worked with Contracts & Compliance and initiated a competitive bid process, inviting proposals from interested parties to perform annual physical examinations for sworn firefighter personnel. Legal notices of the Request for Proposal (RFP) were placed in the East Bay Times / Oakland Tribune.

In accordance with Article 5 of the MOU, annual physical examinations are conducted on all Local 55 bargaining unit members in the Oakland Fire Department.

In 2019, Six (6) potential vendors were identified, and their contact information was sent to Contracts & Compliance. A voluntary pre-proposal meeting was held on July 16, 2019. Contracts & Compliance accepted proposals through August 2, 2019.

Two (2) vendors responded to the RFP. Both vendors were invited to participate in interviews. The interview panels consisted of representatives from the Oakland Fire Department and one (1) International Association of Firefighters, Local 55 Board Member. During their interview, the vendor made a presentation to the interview panel team and answered questions related to their specific proposal. The proposals were considered for the following:

- 1) Overall quality of the proposal;
- 2) Quality and appropriateness of the proposed project team;
- 3) Appropriate (type) personnel with required licensure, experience, and skills;
- 4) Prior experience in project management, scheduling, cost estimating, and budget management;
- 5) Quality and appropriateness of proposed project approach and organization;
- 6) Prior experience and ability to work with a diverse workforce and integrate City's requirements into those of the vendor's pursuant to a successful project.

Emeryville Occupational Medical Center was selected by a unanimous vote.

### ***Request for Competitive Bid Waiver***

Since being selected in 2020, the Fire Department has been satisfied with the service provided by this vendor, previously known as Emeryville Occupational Medical Center, and now seeks authorization for a short-term contract, as it evaluates the best approach and criteria to begin a new a Request for Proposal process for a long-term contract with Agile or an alternative vendor.

The Fire Department Command Staff receive regular reports from firefighters that use the service, and the majority convey a positive experience. Any issues that arise are discussed at the monthly Labor and Management meetings. The service model requires firefighters be randomly selected for drug testing and health screenings, and the department has been very pleased with the vendor's ability to fulfill this task in a prompt manner, and appropriate discretion.

Oakland Municipal Code section 2.04.050.1.5 permits the Council to waive the Request for Proposal/Qualification process requirements upon a finding that it is in the best interest of the City to do so. Staff recommends it is in the City's best interest to waive the competitive process to avoid a gap in service and to remain in compliance with Article 5 of the current Memorandum of Understanding (MOU) between the City of Oakland and Local 55, which requires that annual physical examinations be provided to Oakland Fire Department employees.

### **FISCAL IMPACT**

The funds for the initial two-year agreement through February 28, 2026 are available in the General Fund (1010), Human Resources Organization (20811), Administration Project (1000009), Services: Miscellaneous Contract Account (54919), and Personnel Resource Management Program (PS16).

**PUBLIC OUTREACH/INTEREST**

No outreach was deemed necessary for the proposed policy action beyond the standard City Council agenda noticing procedures.

**COORDINATION**

The Budget Bureau and the City Attorney's Office were consulted in preparation of this report.

**SUSTAINABLE OPPORTUNITIES**

***Economic:*** There are no economic opportunities associated with this report.

***Environmental:*** There are no environmental opportunities associated with this report.


***Race and Equity:*** There are no race and equity opportunities associated with this report.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt A Resolution: (1) Authorizing The City Administrator To Enter Into A Professional Services Agreement With Agile Occupational Medical Center To Provide Annual Physical Examinations Of Sworn Oakland Fire Department (Department) Employees For The Period Of March 1, 2024, Through February 28, 2026, In An Amount Not To Exceed Eight Hundred And Fifty Thousand Dollars (\$850,000.00), With An Option To Extend The Agreement For One Year Until February 28, 2027, At A Cost Of Up To Four Hundred Twenty Five Thousand Dollars (\$425,000.00), And Without Returning To Council, For A Total Amount Not To Exceed One Million Two Hundred Seventy-Five Thousand Dollars (\$1,275,000.00); (2) And Waiving The City's Request For Proposals/Qualifications Process And Purchasing Requirements, And The Local And Small Local Business Enterprise Program Requirements For The Proposed Agreement.

For questions regarding this report, please contact Michael Hunt, Fire Department, at (510) 238-6353

Respectfully submitted,



Damon Covington  
Fire Chief, Oakland Fire Department