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OFFICE OF THE CITY CLERK
OAKLAND

Amrad Solt
City Attorney's Office

19 DEC 20 PM 4: 14

OAKLAND CITY COUNCIL

RESOLUTION NO. 87967 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE TO EXTEND THE AGREEMENT WITH DR. HERBERT GENE HERN DOING BUSINESS AS (DBA) "EMERGENTT CONSULTING" TO CONTINUE TO PROVIDE THE SERVICES OF MEDICAL DIRECTOR FOR THE OAKLAND FIRE DEPARTMENT THROUGH SEPTEMBER 30, 2020, IN AN AMOUNT NOT TO EXCEED SIXTY-FIVE THOUSAND TWO HUNDRED THIRTY-THREE DOLLARS AND THIRTY-THREE CENTS (\$65,233.33), FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED THREE HUNDRED TWENTY-SIX THOUSAND ONE HUNDRED SIXTY-SIX DOLLARS AND SIXTY-FIVE CENTS (\$326,166.65)

WHEREAS, on June 1, 2000, the Fire Department (Department) began providing Advanced Life Support (ALS) services to the City's residents and visitors; and

WHEREAS, the current Medical Director (Dr. Hern) was selected through the City's formal RFP process in 2015 and has served in this capacity since October 1, 2011, meeting the needs of the Department, including the requirement for a physician to authorize the ordering and resupply of controlled substances used by Department paramedics in treating patients; and

WHEREAS, in 2015 pursuant to Resolution Number 85808 C.M.S. (Resolution 85808), City Council authorized an agreement with Herbert Gene Hern to provide services as the Medical Director (Medical Director Agreement) for the Oakland Fire Department from October 1, 2015 through September 30, 2018, in an amount not to exceed sixty-five thousand two hundred and thirty-three cents (\$65,233.33), with two annual one-year options to extend at the same annual rate, subject to City Council approval, for a total contract amount not to exceed three hundred and twenty-six thousand one hundred and sixty-six dollars and sixty-five cents (\$326,166.65); and

WHEREAS, in 2018, City Council authorized the first one-year option to extend the Medical Director Agreement via Resolution Number 87349 C.M.S.; and

WHEREAS, Dr. Hern has provided exceptional clinical oversight of the Department's Paramedics by serving as the lead during call reviews for those EMS requests where questions or issues arise and Dr. Hern has the historical and institutional knowledge of the Department related to system issues that require clinical training as well as individual paramedics who require performance improvement plans; and

WHEREAS, the Medical Director works closely with the staff of the Medical Services Division to develop and provide timely instruction on the advances in emergency medicine that occur on a continual basis; and

WHEREAS, by serving as the medical authority in call reviews, the medical director ensures that appropriate levels of remediation occur when issues arise after Department paramedics have provided clinical care on an EMS response; and

WHEREAS, Dr. Hern was the only vendor who responded to the Request for Proposals made in July, 2015 which resulted in the current contract; and

WHEREAS, in 2020 the City Administration will conduct a new Request for Proposals/Qualifications for the Medical Director agreement; and

WHEREAS, during his time as the Medical Director, Dr. Hern has been instrumental in maintaining the Department's Accredited Center of Excellence (ACE) status, which is required by Medical Priority Dispatch Services (MPDS); and

WHEREAS, the City Administrator has determined that this contract is of a professional and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and

WHEREAS, for the period of October 1, 2018 through June 30, 2019 funding for the professional services contract with Dr. Gene Hern, doing business as "Emergent Consulting", was included in the FY 2018-19 Adopted Budget and was appropriated in Measure N Fund (2250), Measure N Paramedic Org. (20912), Administrative Project (1000009), Emergency Medical Response Program (PS19); and, now therefore be it

RESOLVED: That the City Council authorizes the City Administrator or her designee to extend the agreement with Dr. Herbert Gene Hern to provide the services of Medical Director for the Oakland Fire Department, to September 30, 2020, in an amount not to exceed sixty five thousand two hundred and thirty-three dollars and three-three cents (\$65,233.33), bringing the total contract amount authorized by City Council in the amount three hundred and twenty-six thousand one hundred and sixty-six dollars and sixty-five cents (\$326,166.65); and be it

FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend this agreement; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve said agreement as to form and legality and copies of said agreement shall be filed with the Office of the City Clerk.

PASSED BY THE FOLLOWING VOTE:


DEC 10 2019

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND
PRESIDENT KAPLAN 9

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST 

LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California