

**AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA,  
AMENDING SECTION 15.40.042 OF CHAPTER 15.40 OF THE MONTEREY COUNTY  
CODE RELATING TO THE EMERGENCY MEDICAL SERVICES SYSTEM.**

**County Counsel Summary**

*This ordinance will amend Section 15.40.042 of Chapter 15.40, which details the competitive process to be used for the selection of an emergency ambulance provider for the County's exclusive operating area. Section 15.40.042 is amended to add language consistent with the California Health and Safety Code, which requires California Emergency Medical Services (EMS) Authority approval of a local EMS Agency's competitive process for selecting an emergency ambulance provider. The ordinance also changes the process for selection of an ambulance provider so that Requests for Proposals will be developed and issued by the Monterey County EMS Agency and posted on the Solicitation Center website maintained by the Contracts/Purchasing Division of the County Administrative Office or such other County website for solicitation of RFPs. Finally, the ordinance dictates that a Review Panel will be appointed to evaluate proposals submitted in response to a Request for Proposal for the selection of an ambulance provider. The Review Panel and the EMS Director will then forward their recommendations for the award of the RFP to the Monterey County Board of Supervisors, and the Board of Supervisors shall either accept or reject the recommendations and, on that basis, either award the contract or decline to award the contract.*

The Board of Supervisors of the County of Monterey ordains as follows:

SECTION 1. Section 15.40.042 of the Monterey County Code is amended to read as follows:

15.40.042 - Competitive process.

A. Development and Approval of RFP. The EMS Agency shall develop a Request for Proposals (RFP) as part of the competitive process to select an emergency ambulance provider for the exclusive operating area as established pursuant to this Chapter. The EMS Agency shall develop and submit to the California EMS Authority for approval, its competitive process for selecting providers and determining their scope of operations. The RFP shall include provisions for a competitive process held at periodic intervals.

B. Issuance of RFP. The Board shall review the RFP and authorize its issuance in such form as may be approved by the Board. Promptly thereafter, the EMS Director shall cause the RFP to be posted on the Solicitation Center website maintained by the Contracts/Purchasing Division of the County Administrative Office or such other County website for solicitation of RFPs. The EMS Director shall also send notice mail notice of the issuance of the RFP to each current emergency ambulance service operator and emergency

ambulance provider in the County, to all EMCC members, and any other interested parties who have filed with the EMS Agency a written request for such notice, shall make copies of the RFP available to all interested parties, and shall post the RFP on the EMS Agency's website. The EMS Agency may authorize a charge for copies of the RFP. The RFP shall specify a deadline for submittal of proposals. Any proposals received after the time set for submitting proposals shall not be considered.

C. Review Panel. The EMS Director shall appoint a review panel to evaluate the proposals received in response to the RFP. The review panel shall be selected by the EMS Director in order to ensure that as a whole, the review panel includes members who are familiar with or oriented to various aspects of EMS systems, members who are knowledgeable with EMS needs of Monterey County, and members who have expertise in various EMS disciplines. Members may not have a conflict of interest. The review panel shall review all proposals and submit a written report and recommendations to the EMS Director. The EMS Director shall forward his or her recommendations for the award of the RFP, together with the recommendations of the review panel, to the Board.

D. Award of Contract. The Board shall review the recommendations of the RFP Review Panel and the EMS Director. The Board shall either accept or reject the recommendations, and on that basis, either award the contract or decline to award the contract. ~~The Board shall award the contract to the emergency ambulance service operator or provider whose proposal, in the discretion of the Board, best serves the public interest. In making the award, the Board shall consider the comparative value of competing proposals, including but not limited to the following factors:~~

- ~~1. The quality of service to be provided;~~
- ~~2. The level of service to be provided;~~
- ~~3. The rates charged to the public for services provided;~~
- ~~4. The cost, if any, to the County, cities or districts;~~
- ~~5. Documented evidence of ability to work effectively with local agencies;~~
- ~~6. Experience and historical performance in the provision of emergency ambulance services; and~~
- ~~7. The financial capability and stability of the proposer.~~

SECTION 2. SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 3. This ordinance shall become effective on the thirty-first day following its adoption.

PASSED AND ADOPTED on this \_\_\_\_ day of \_\_\_\_\_, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Mary L. Adams, Chair  
Monterey County Board of Supervisors

A T T E S T

GAIL T. BORKOWSKI  
Clerk of the Board of Supervisors

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

WENDY S. STRIMLING  
Senior Deputy County Counsel