

**CITY OF SAN ANTONIO
FIRE DEPARTMENT
INTERDEPARTMENTAL MEMORANDUM**

TO: Mayor and City Council

FROM: Robert Ojeda, Fire Chief

THROUGH: Terry M. Brechtel, City Manager

COPIES: J. Rolando Bono, Deputy City Manager; Rick Cortes, Fiscal Planning Manager

SUBJECT: Ordinance Authorizing the Execution of a contract with A & D Tests, Inc.

DATE: September 25, 2003

STAFF AND RECOMMENDATIONS

This ordinance authorizes the City Manager or her designated representative to execute a contract not to exceed \$35,000.00 annually, with A & D Tests, Inc. to supply the San Antonio Fire Department (SAFD) with mandatory random testing and reasonable suspicion drug testing. The term of the contract is from October 1, 2003 to September 30, 2005, with the option for three one-year extensions, subject to subsequent, annual appropriations.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

The Collective Bargaining Agreement (CBA) with the Local 624 International Association of Fire Fighters, dated June 3, 2002, authorized the City of San Antonio to perform mandatory random testing for illegal drugs and controlled substances, during each calendar year, beginning October 1, 2003. Additionally, the CBA allows for reasonable suspicion drug testing of all uniform employees and the testing of employees who receive special assignment duty, such as Paramedic, Hazmat and Arson units. Prior to this agreement, the San Antonio Fire Department was only able to perform reasonable suspicion drug testing and testing employees who received special assignment duty.

The current provisions of the CBA required the City of San Antonio to release a new Request for Proposal seeking competitive bids from vendors in order to comply with the contract. The RFP was published July 21, 2003 and closed August 22, 2003. Three (3) vendors submitted proposals.

A & D Tests, Inc., Compliance Consortium Corporation and Premier Occupational submitted proposals to the City of San Antonio Fire Department to supply drug-testing services to fire personnel. Proposals were thoroughly evaluated by a committee consisting of the San Antonio Fire Department, San Antonio Police Department, San Antonio Metropolitan Health District - OHC, and the Economic Development staff. Evaluation criteria consisted of 40% for Qualifications, 25% for Responsiveness, 20% for SBEDA and 15% for Proposed Price. A & D Tests, Inc. scored 72%, Compliance Consortium Corporation scored 71% and Premier Occupational scored 52%.

Vendor	Qualifications 40%	Responsiveness 25%	SBEDA 20%	Price 15%	TOTAL 100%
A & D Tests, Inc.	39	25	8	0	72%
Premier Occupational	27	19	15	10	71%
Compliance Consortium	24	14	14	0	52%

On an annual basis 220 firefighters of all ranks, including the Fire Chief, will be randomly tested.

POLICY ANALYSIS

Approval of this ordinance meets the terms of the Collective Bargaining Agreement, executed on June 3, 2002.

FISCAL IMPACT

There is a General Fund commitment not to exceed \$35,000.00 annually, contingent upon City Council's approval of the Fire Department's Fiscal Year 2004 and Fiscal Year 2005 budgets. Included in the \$35,000.00 annual commitment, \$11,000.00 is targeted for mandatory random drug testing annually.

COORDINATION

This ordinance has been coordinated with the Office of Management and Budget, City Attorney's Office, San Antonio Police Department, Economic Development, San Antonio Metropolitan Health District and Asset Management.

SUPPLEMENTARY COMMENTS

A Discretionary Contracts Disclosure Form and the Contract for Random and Reasonable Suspicion Drug Testing Services are attached.

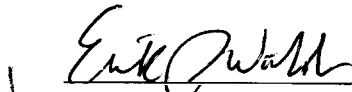


Robert Ojeda
Fire Chief



J. Rolando Bono
Deputy City Manager

Approved:



Terry M. Brechtel
City Manager

City of San Antonio Discretionary Contracts Disclosure*

For use of this form, see City of San Antonio Ethics Code, Part D, Sections 1&2

Attach additional sheets if space provided is not sufficient.

State "Not Applicable" for questions that do not apply.

This form is required to be supplemented in the event there is any change in the information under (1), (2), or (3) below for the discretionary contract is the subject of council action, and no later than five (5) business days after any change out which information is required to be filed.

Disclosure of Parties, Owners, and Closely Related Persons

For the purpose of assisting the City in the enforcement of provisions contained in the City Charter and the Code of Ethics, an individual or business entity seeking a discretionary contract from the City is required to disclose in connection with a proposal for a discretionary contract:

(1) The identity of any **individual** who would be a party to the discretionary contract:

None

(2) The identity of any **business entity**¹ that would be a party to the discretionary contract:

None

And the name of:

(A) Any individual or business entity that would be a **subcontractor** on the discretionary contract;

None

¹ A **business entity** means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law.

- 3) The identity of any lobbyist or public relations firm employed for purposes relating to the discretionary contract being sought by any individual or business entity who would be a party to the discretionary contract.

None


Political Contributions

Any individual or business entity seeking a discretionary contract from the city must disclose in connection with a proposal for a discretionary contract all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made directly or indirectly to any **current** or **former member** of City Council, any **candidate** for City Council, or to any **political action committee** that contributes to City Council elections, by any individual or business entity whose identity must be disclosed under (1), (2) or (3) above. Indirect contributions by an individual include, but are not limited to, contributions made by the individual's spouse, whether statutory or common-law. Indirect contributions by an entity include, but are not limited to, contributions made through the officers, owners, attorneys, or registered lobbyists of the entity.

To Whom Made:	Amount:	Date of Contribution:
None		

Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which, reasonably understood, raise a question² as to whether any city official or employee would violate Section 1 of Part B, Improper Economic Benefit, by participating in official action relating to the discretionary contract.

None		
Signature: 	Title: <i>WILLIAMSON</i> President Company: A & D Tests, Inc	Date: <i>8.20.03</i>

² For purposes of this rule, facts are 'reasonably understood' to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.