

BOCC APPROVAL APRIL 19, 2023
BOARD OF BIDS AND CONTRACTS APRIL 13, 2023

3. POST-MORTEM FORENSIC TOXICOLOGY TESTING SERVICES -- REGIONAL FORENSIC SCIENCE CENTER (RFSC)
FUNDING -- TOXICOLOGY

(Request sent to 55 vendors)

RFP #23-0011 Contract

	Axis Forensic Toxicology	National Medical Services, Inc. dba NMS Labs
Commonly used panels and tests		
Expanded/comprehensive drug panel	\$225.00	\$235.00
Lidocane and metabolite blood	\$140.00	\$182.00
Carisoprodol and metabolite blood	\$140.00	\$227.00
Amitriptyline and metabolite blood	\$140.00	\$138.00
Gabapentin, blood	\$140.00	\$137.00
Levetiracetam, blood	\$140.00	\$128.00
Pregabalin, blood	\$140.00	\$316.00
Buspiron, blood	\$192.00	\$127.00
Xylazine	N/A	\$795.00
Ketamine and metabolite	\$140.00	\$109.00

On the recommendation of Britt Rosencutter, on behalf of the Regional Forensic Science Center (RFSC), Tim Myers moved to **accept the proposals from Axis Forensic Toxicology and National Medical Services, Inc. dba NMS Labs and establish contract pricing at the rates provided in the respective proposal responses until December 31, 2023 with the option to renew annually.** Ann Meyerhoff-Cole seconded the motion. The motion passed unanimously.

A committee comprised of Shelly Steadman, Katie Asbury, Cynthia Burroughs-Ponder, Kimberly Youso, and Anisten Aurand - Regional Forensic Science Center; and Britt Rosencutter - Purchasing, evaluated the proposal responses based on the criteria set forth in the RFP. The committee agreed to accept the proposals from both Axis Forensic Toxicology and National Medical Laboratory Services, Inc. dba NMS Labs.

Awarding both vendors will allow RFSC to choose the most cost-effective provider depending on the testing needed, provide redundancy for the external testing needs, maintain competitive pricing for agreement renewals, and offer the broadest variety of possible test services available for detection of novel and emerging drugs.

RFSC Toxicology Laboratory provides ante- and post-mortem testing of biological samples. RFSC is seeking the assistance of an external post-mortem toxicology testing provider in order to expedite autopsy case results, increase the mean turn-around time, and reduce the existing laboratory backlog. RFSC has secured grant funding for the external testing of approximately 500 cases through August 2025. RFSC will continue to provide on-site testing of cases determined to have a high likelihood of requiring court testimony and validate instrumentation during the grant project period(s).

Notes:

The total annual spend for 2021 & 2022:

	<u>AXIS</u>	<u>NMS</u>
2021	\$25,899.00	\$11,579.00
2022	\$41,187.00	\$15,870.00

Complete price schedules are available to review at:

<https://www.sedgwickcounty.org/finance/purchasing/current-bids-and-proposals/23-0011/>

I would like to start with saying this is a proposal not a bid. Proposals are scored based on criteria set forth in the RFP. There are five (5) components to this RFP

Component	Points
a. Project Approach – Does the feasibility of the firm’s proposal indicate they will provide all requirements set forth by the scope of work? Has the vendor demonstrated the ability to manage similar projects and that resources are available to meet the needs of this project? Will the testing approach be similar to current practices such that Pathologists are provided all required test information upon receipt of the report(s)?	25
b. Personnel, Staffing, and Accreditation– Does the vendor meet or exceed standards set forth for the Chief Toxicologist? Is the vendor adequately staffed with qualified scientists? Have the scientists completed a documented training program? Does the vendor hold the preferred level of accreditation?	20
c. Quality of work – Does the vendor have proven performance history with the county or other Medical Examiner’s Offices in the region?	20
d. Responsiveness – Was all requested information provided and did follow-up inquiries receive timely response?	10
e. Cost – How does cost compare for fully interrogated cases (e.g. testing of blood for drugs and volatiles, quantification of drugs in blood, volatiles in vitreous, and analyte confirmation of drugs of abuse in urine)?	25
Total Points	100

Questions and Answers

Brandi Baily: Thank you for giving us the spend amount last year. So we already use these two (2) vendors. This will be paid out of grant funding 100% not with general funding. Is that correct?

Shelly Steadman: The vast majority of this testing is paid for with grant money. However, there can be an occasion where we would send something out specific to court that would not be covered under grant provided services or an out-of-county case if we need specialized testing for which we are reimbursed. We would not use grant money for that because basically we would be double dipping.

Brandi Baily: So we've done this type of outsourcing service for awhile it looks like. How has that helped with the backlog? If we didn't outsource the post-mortem testing, how could that increased our backlog? How has this helped?

Shelly Steadman: Currently I believe we have around 450 cases backlogged in tox. That's a combination of post-mortem and ante-mortem or human performance test, which is drug identification and drivers. We've been using these two (2) laboratories for decades to provide services. There are unique tests that we may not have validated methods for so we've always used these labs for send outs.

Recently with our increased turn around time that we were experiencing and our inability to complete autopsy cases in a timely fashion, I started to pursue grant funding to offset the amount of work that we are carrying out in-house. As an example, I believe in February we would have received somewhere between 80 and 100 cases, we sent over 30 of those out. It really helps to decrease that time. It serves two (2) important purposes. We're being picky about the cases we send out. We prefer to send out drug overdose cases and suspected suicides because the drug overdose cases are generally poly drug in nature and they can take our lab a really long time to complete. We also select those case types because they are unlikely to require court testimony.

We've also been contracting with a pathologist from Johnson County and she gets paid when her cases are completed. So if it takes our tox lab 90 days to complete the analysis on her biological, she wouldn't get paid for four (4) months. Here we are getting results in two (2) weeks. She can get paid timely for her services.

It serves a lot of purposes. The main purpose here is we are bringing in a lot of new instrumentation and we need to have that validated. So our folks are diverted from their regular casework duties to perform those validations. To offset that we are trying to keep things moving through by using these services. For example, the Coverdale grant purchased an instrument and this outsourcing for the purpose of allowing our staff to validate the instrument. It was kind of a package project. Does that answer your question?

Brandi Baily: I appreciate it. It helps to validate this is something that is needed in the county and we're not just sending out services to send out just because. The pricing they've quoted in there, is that comparable to what we've paid in the past?

Shelly Steadman: It's actually much less than what we are currently paying.