



STAFF REPORT

DATE: August 23, 2021

TO: Sacramento Regional Transit Board of Directors

FROM: Steve Booth, AVP, Human Resources and Labor Relations

SUBJ: DELEGATION OF AUTHORITY TO THE GENERAL MANAGER/CEO TO AWARD CONTRACTS FOR PRE-EMPLOYMENT AND DOT/DMV CERTIFICATION MEDICAL EXAMINATIONS, PRESCRIPTION DRUG SAFETY REVIEWS, AND EVALUATION OF JOB DESCRIPTION PHYSICAL REQUIREMENTS

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

The action would allow Staff to complete the formal solicitation process and provide flexibility for the General Manager/CEO to award new contracts before the current contract expires on September 30, 2021.

FISCAL IMPACT

Total fiscal impact over the contract term of five years will be \$1,200,000.00 . The approved FY 2021-2022 Operating Budget includes \$152,000 for these services, an amount that was based on prior year utilization and costs. Based on the preliminary review of the proposals received, this amount may be insufficient, depending on actual number of exams required. If the cost for these services is projected to exceed the available budget, an Operating Budget amendment(s) will be brought to the Board for approval if required. The cost for these services in future years will be included in the annual Operating Budgets presented to the Board for approval each year.

DISCUSSION

Sacramento Regional Transit District (SacRT) requires pre-employment medical examinations for applicants in designated job classifications. Pre-employment medical examinations are conducted to determine an applicant's ability to perform the physical demands of the job classification. In addition, employees required to have a commercial driver's license as a condition of employment must have a medical exam at least every two years to maintain the license in accordance with DMV requirements.

In addition, employees performing safety-sensitive work as defined by the Federal Transit Administration (FTA)(49 C.F.R Part 655) are subject to federally-regulated drug and alcohol testing (pre-employment, random, and reasonable suspicion). As part of that process, in accordance with DOT Drug Testing Regulation 49 C.F.R. Section

40.327, the Medical Review Officer (MRO) is required to report medical information learned as part of the drug testing result verification process regarding the use by an applicant/employee of medication(s) and/or condition(s) that may pose significant safety risk or make the individual medically unqualified for a safety-sensitive position as defined by the FTA. A Prescription Drug Safety Review Exam is necessary to determine whether an employee properly using medication(s) prescribed for them is likely to pose a significant safety risk in the continued performance of their safety-sensitive function.

At times, there is a need to have the physical/medical requirements for positions reviewed to determine if exam/testing protocols need to be updated and review job-related medical and physical standards for new and revised job descriptions on an ongoing basis to determine whether the exam/testing protocols are validated.

SacRT previously had a contract in place for 5 years (from June 2015 to June 2020) with Sutter Medical Foundation for examination services. That contract was extended an additional six months, to December 31, 2020, to allow time for competitive solicitation of a new contract. After two Request for Proposals (RFP) solicitations in which no responsive proposals were received, SacRT entered into a short-term contract with Dignity Health to administer its medical examinations, which has already been extended once and now expires on September 30, 2021.

The most recent (fourth) RFP was released on July 7, 2021, with responses due July 23, 2021. The RFP provides that SacRT may award multiple contracts for a five-year term to the qualified proposers. Staff is currently completing the evaluation process, which may be followed by negotiations before a contract or contracts could be awarded.

SacRT requires these services for operators to maintain their medical clearance and for SacRT to have the ability to continue critical hiring without a lapse in service and to remain in compliance with Federal regulations. Given the difficulty that SacRT has had in obtaining a long-term contractor for these services over the last year, flexibility to enter into a new contract or contracts as expeditiously as possible is critical.

Staff requests the Board to delegate authority to the General Manager/CEO to award a contract or contracts for these services after evaluations and negotiations are complete to ensure there is not a lapse in these required services.

RESOLUTION NO. 21-08-0098

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

August 23, 2021

DELEGATION OF AUTHORITY TO THE GENERAL MANAGER/CEO TO AWARD CONTRACTS FOR PRE-EMPLOYMENT AND DOT/DMV CERTIFICATION MEDICAL EXAMINATIONS, PRESCRIPTION DRUG SAFETY REVIEWS, AND EVALUATION OF JOB DESCRIPTION PHYSICAL REQUIREMENTS

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the Board hereby delegates authority to the General Manager/CEO to award and execute a contract or contracts for Pre-Employment and DOT/DMV Certification Medical Examinations, Prescription Drug Safety Reviews, and Evaluation of Job Description Physical Requirements upon conclusion of the formal solicitation process and determination of the most-qualified proposer or proposers in accordance with the specified evaluation criteria.

STEVE MILLER, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Tabetha Smith, Assistant Secretary