



San Joaquin County Health Care Services

P.O. Box 1020 • Stockton, CA 95201 • (209) 468-6600

04 November 2005

Michael Parker, President and Chief Operations Officer  
Priority One Medical Transport, Inc.  
740 South Rochester Avenue Suite E  
Ontario, CA 91761

Re: Emergency Ambulance Service Request for Proposals (RFP)

Dear Mr. Parker:

The San Joaquin County EMS Agency and I have thoroughly reviewed and considered all of the areas of protest filed by Priority One Medical Transport (POMT) in protest of the Emergency Ambulance Service Request for Proposals recommendation.

The following are the responses to the issues of protest submitted:

**POMT Assertion #1:** If the EMS Agency did not receive the actual proposal evaluation documentation forms from the proposal review panel, how can the Agency be assured the panel followed the instructions of the Agency? Without proof of written panel member review evaluation forms having been completed, how can the Agency or the County ensure the integrity of the review panel evaluation process?

Section 2.10 of the RFP states that: "The Proposal Review Committee will develop a rating system that may or may not contain a point system. Each reviewer shall rank each proposal according to the individual reviewer's judgment as to the relative merits of the competing proposals."

The integrity of the Proposal Review Committee is evidenced by its report which was individually signed by each committee member. While the instructions to the committee provided individual ranking forms, the committee utilized its discretion to modify that process and did not utilize the individual ranking forms. The documents evidencing consensus of the reviewers' judgment as to the relative merits of the competing proposals have been provided as the permanent record of the committee's decision.

**POMT Assertion #2:** How could Priority One be rated 3<sup>rd</sup> in Zones A and C when only two bidders submitted proposals? How could a fair evaluation be applied to Priority One's bid in Zones A and C by being compared to a bidder not competing in those two zones?

The Committee's review examined the overall quality of the proposals. The proposals were ranked as to their overall quality and then applied to the zone configurations.

**POMT Assertion #3:** We assert bidder's financial strength should be evaluated on a zone-by-zone basis since the RFP was issued for three separate exclusive operating areas.

The report issued by Moss Adams addressed the bidder's credentials and financial strength as delineated in Section 3 of the RFP and the proposed operating budgets required in Section 4.6.

**POMT Assertion #4:** In reviewing AMR's proposal, we confirmed that AMR did not follow the RFP instructions for completing the 'Acceptance of Minimum Requirements Form' in Attachment E of the RFP.

The use of a check mark instead of initials was determined to be a non-substantive issue that did not impact the proposal.

**POMT Assertion #5:** In the Moss Adams RFP financial review report of the proposals, they confirm our assertion that the operating budget AMR submitted was flawed and contained mathematical errors.

Based on the presentation of the report by Moss Adams, these were determined to be minor rounding errors that, in the scope of the total proposal, were non-substantive and did not impact the proposal.

**POMT Assertion #6:** AMR also failed to include dispatch personnel wages (sic) cost in their operating budget as required by the RFP. Further, the AMR budget format submitted in their proposal fails to adhere to the format set forth in the RFP.

Based on the Moss Adams report, the County found that AMR's budget submission was in compliance with the form and the requirements of the RFP. Note that AMR accounted for their dispatch costs under "dispatch fees" rather than under wages.

**POMT Assertion #7:** We don't believe the proposal review panel ranking recommendation reflects the fact the employee compensation and benefits package we proposed far surpasses the compensation and benefits proposed by AMR.

The Proposal Review Committee had and considered all of the information submitted by all bidders.

**POMT Assertion #8:** We object to the fact that they proposed reduced rates at the expense of their workforce having the ability to retain a quality living standard

The information submitted by American Medical Response – West meets the requirements of the RFP.

**POMT Assertion #9:** We assert the review panel ranking doesn't reflect this ambulance system resource reduction plan AMR is proposing for San Joaquin County.

The information submitted by American Medical Response – West meets the requirements of the RFP.

**POMT Assertion #10:** AMR failed to disclose in its proposal as required by the regulatory actions taken by the federal Medicare program and the Department of Justice regarding billing practices of AMR operating units.

At the mandatory Bidder's Conference held on August 4, 2005, the following clarifying answer on this subject was provided by the EMS Agency: "The bidder must submit all litigation for the bidding entity."

American Medical Response – West is the bidding entity and as such was not required to submit any litigation or regulatory information for other operating entities of American Medical Response. All other regulatory actions and litigation related to American Medical Response – West were disclosed in their proposal.

**POMT Assertion #11:** We are also concerned that our complete proposal was not published on the EMS Agency website as other bidders (sic) proposals were.

The EMS Agency posted the information submitted by bidders in electronic form. Upon receiving POMT's attachments in an electronic form they were posted on the EMS Agency webpage.

Note: The various reviewers (Proposal Review Committee members, EMS Agency staff, Health Care Services Agency Director) all worked with hard copies of the proposals submitted by each bidder, not the electronic versions.

**POMT Assertion #12:** We submit our proposed communication systems greatly exceed those proposed by AMR and we do not support the review committee ranking of this item as well.

The Proposal Review Committee had and considered all of the information submitted by all bidders.

In conclusion all issues of protest submitted by Priority One Medical Transport are determined to be without merit and the protest is subsequently denied.

Priority One Medical Transport remains a valued participant in the San Joaquin County EMS System and I look forward to working with you and your organization in the years to come.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth B. Cohen". The signature is fluid and cursive, with the first name being the most prominent.

Kenneth B. Cohen, Director  
Health Care Services Agency