

COUNTY OF ROCKLAND  
Department of General Services  
**Purchasing Division**

# Contract Award Notification

Title: Medical Exams-Psychiatric Exams under Section 72 of NYS Civil Service Law

Contract Period: November 18, 2020 through December 31, 2021 w/2-1 year options  
Extended through 12/31/22 w/1 year option Ext thru 12/31/23

Original Date of Issue: November 18, 2020

Date of Revision: 12/28/22

**EOI No: EOI-RC-2020-001**

**Catalog: Consulting**

Authorized Users: County Agencies

Address Inquiries To:

Name: Sabrina Samuels  
Title: Purchaser II  
Phone: 845-364-3807  
Fax: 845-364-3809  
E-mail: samuelss@co.rockland.ny.us

**Description**

This contract is for Psychiatric Exams under Section 72 of NYS Civil Service Law.

Contract #	Vendor Number	Contractor & Address	Telephone No.
EOI 18-001	0000025205	Fifth Avenue Forensics 303 Fifth Avenue, Suite 403 New York, NY 10016 Contact: Amy DeSimon adesimon@fifthavenueforensics.com	212-532-2322    FAX: 212-532-2219

**Please Note:**

**Fifth Avenue Forensics can provide exams locally if department can provide a space for them. If not, please contact Fifth Avenue Forensics to schedule for the exams.**

# County of Rockland CONTRACT

## Dept. of General Services

Purchasing Division  
50 Sanatorium Rd  
Bldg A, 6th Fl, Room 609  
POMONA NY 10970  
www.rcpurchasing.com

**Dispatch via Print**

<b>Contract ID</b> EOI 20-001		Page 1 of 4
<b>Contract Dates</b> 11/18/2020 to 12/31/2023		<b>Currency</b> USD
<b>Freight Terms</b>		<b>Contract Maximum</b> 35,000.00
<b>Buyer</b> SAMUELS, SABRINA		<b>Buyer Email</b> samuelss@co.rockland.ny.us
		<b>Phone</b>  <b>Fax</b>

**Supplier** 0000025205  
Fifth Avenue Forensics  
Dr. Alexander Bardey  
303 Fifth Avenue Suite 403  
NEW YORK NY 10016

Phone 212/532-2322  
Fax 212/532-2219  
drbardey@fifthavenueforensics.com;

Tax Exempt? Tax Exempt ID:

Line #	Supplier Item	Item Desc	Item ID	Price	UOM
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1		Pre-Employment screenings for Dispatcher Candidates: Included in this fee is the thorough review of relevant background information, an abbreviated psychological test battery, a screening of intellectual functioning,	9613000007	436.00000	Each
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an in-depth of structured clinical interview and a comprehensive written report with recommendations for law enforcement dispatcher suitability.

2		Pre-Employment screening for Sheriff Officer/Corrections candidates: included in this fee is the thorough review of relevant candidate background information, a full psychological assessment test battery, assessment of intellectual functioning,	9613000008	547.00000	Each
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an in-depth structured clinical interview and a comprehensive written report with specific recommendations for the suitability of each candidate to law enforcement employment.

3		Fitness for Duty Examinations: Included in this fee is a review of all relevant incident-related documents, legal documents, and officer background information,	9613000009	2,188.00000	Each
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**Authorized Signature**

*Paul J. Brennan*

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a battery of psychological and cognitive tests to be determined based on the individual's presenting issue, potential collateral interviews and/ or correspondence with department or supervisors, request and review of any pertinent treatment or medical records, in-depth clinical interview(s) and a comprehensive clinical assessment report with specific recommendations.

4		Promotional Examination-Sergeant: These fees include relevant background review, a battery of promotional related psychological assessment, clinical interview & a comprehensive written report w/ recommendations on suitability of promotion to desired rank	9613000010	983.00000	Each
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If three or more candidates are testing for the same rank promotion, situational group exercises may also be employed to gain better insight into the candidates' leadership abilities.

5		Promotional Examination-Lieutenant: These fees inc. relevant background review, a battery of promotional related psychological assessment, clinical interview & a comprehensive written report w/recommendations on suitability of promotion to desired rank.	9613000011	1,312.00000	Each
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If three or more candidates are testing for the same rank promotion, situational group exercises may also be employed to gain better insight into the candidates' leadership abilities.

6		Promotional Examination-Captain or above: These fees include relevant background review, a battery of promotional related psychological assessment, clinical interview and a comprehensive written report with recommendations	9613000012	1,641.00000	Each
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on suitability of promotion to desired rank. If three or more candidates are testing for the same rank promotion, situational group exercises may also be employed to gain better insight into the candidates' leadership abilities.

7		Section 72 Exam: Inc. in this fee is the extensive review of relevant legal discovery, background information, current job duties & descriptions, the administration of appropriate psychological assessments,	9613000013	2,735.00000	Each
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collateral interviews and a comprehensive written report of findings.

**Authorized Signature**

*Paul J. Brennan*

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8		Fee for Section 72 Court Hearing: This fee is a separate fee should the need for a court appearance arise pursuant to a Section 72 examination. It includes any preparation and travel expenses associated with the appearance.	96130000014	2,188.00000	Each
9		Pre-Employment Screening for District Attorney's Investigator Candidates: included in this fee is the thorough review of relevant candidate background info, a full psychological assessment test battery, assessment of intellectual functioning,	96130000040	1,094.00000	Each

an in-depth structured clinical interview and a comprehensive written report with specific recommendations for the suitability of each candidate to law enforcement/investigator employment.

TERMS AND CONDITIONS OF EOI-RC-2020-001 INCORPORATED HEREIN BY REFERENCE.

**Authorized Signature**

*Paul J. Brennan*

**DEPARTMENT OF GENERAL SERVICES, PURCHASING DIVISION**

Dr. Robert L. Yeager Health Center  
50 Sanatorium Rd, Building A  
Pomona, New York 10970  
Phone: (845) 364-3820 Fax: (845) 364-3809  
Email: purchasing@co.rockland.ny.us

**Paul Brennan, CPPO**  
*Director of Purchasing*

**REQUEST FOR EXPRESSION OF INTEREST  
PSYCHIATRIC EXAMS UNDER SECTION 72 OF NEW YORK STATE CIVIL SERVICE  
LAW**

**EOI-RC-2020-001**

**BACKGROUND**

The County of Rockland is seeking Expressions of Interest (EOI) from qualified medical providers and medical specialists to perform psychiatric examinations under Section 72 of the New York State Civil Service Law, as per the requirements outlined below.

The County is interested in contracting with a Medical Provider or Group Practice to provide psychiatric evaluations. The Medical Provider or Group Practice must perform the following services as requested by the County:

- Psychological fitness for duty examinations (ability to perform essential job functions) based on Job Description provided by the County
- Employment related psychiatric exams
- Psychological evaluations in relation to substance abuse

**REQUIREMENTS OF SECTION 72 – PSYCHIATRIC EXAMINATION BY MEDICAL OFFICER**

1. Only a Physician must complete a Sec. 72 medical examination to determine: (1) if the referred employee is not fit to perform the duties of his or her position by reason of a mental disability (e.g., this means that a psychologist cannot complete a Sec. 72 medical examination); and/or (2) If there is probable cause to believe that the continued presence of the employee on the job represents a potential danger to persons or property or would severely interfere with operations.

Note: A psychiatrist may recommend that an employee undergo an evaluation by a cognitive psychologist or other specialist. In these situations, the psychiatrist will refer the individual to the specialist, but the psychiatrist still must review the findings of the non-MD or specialist and incorporate them into the physician's report.

2. When a physician is designated by the Commissioner of Personnel, the physician is provided a copy of the job specification for the employee's position title, a copy of the facts and supporting documents provided by the department head that form the basis for his/her judgment: (1) that the employee is not fit to perform his/her duties due to a mental disability, and/or (2) there is probable cause that the continued presence of the employee on the job represents a potential danger to persons or property or would severely interfere with operations; and a copy of Sec. 72 of the New York State Civil Service Law.
3. The physician must certify: (1) whether or not the employee is mentally fit to perform the duties of his/her position, and/or (2) whether or not there is probable cause that continued presence of the employee on the job represents a potential danger to persons or property or would severely interfere with operations. The physician's certification must be clear and unambiguous.
4. If a physician cannot certify: (1) whether or not an employee is mentally fit to perform the duties of his/her position; and/or (2) whether or not there is probable cause that the continued presence of the employee on the job represents a potential danger to persons or property or would severely interfere with operations, the physician must indicate the reasons for his/her inability to make this certification (e.g., a different specialist is needed, the employee failed to keep his/her appointment, diagnostic tests were not conclusive, etc.).
5. At or about the time the Physician is designated, the appointing authority will schedule with the physician and direct the employee to attend, an initial appointment with the physician as soon as reasonably possible, at which time the physician will begin the evaluation of the employee. The physician is authorized to perform such evaluation(s) and/or test(s) or make any referrals for such tests or other medical evaluations the physician believes is necessary to make the required determination(s). The physician may also request to speak to any relevant healthcare providers or any other individuals that will assist in making his/her determination. Similarly, the physician may request copies of and/or access to any health records or other documents or data he/she feels will assist in making a determination. Additional dates may be scheduled as required. Those situations in which a designated physician may determine that an employee needs to be referred to a specialist must explain in writing and document why the referral is needed and then properly refer the employee to another specialty. For example, it is possible that the psychiatrist may believe that the employee is not fit to perform his/her duties, but suspect that the disability is due to a neurological problem and may, therefore, refer the employee to a neurologist.
6. The County of Rockland requires the physician to provide certification(s) to the appointing authority in a written report which must set forth, in addition to the required certification(s) the factual and judgmental basis for his/her conclusions including, but not limited to: (1) listing and describing any written and/or oral material of information provided by either the employer or the employee or obtained by the physician from any medical provider to which the employee has been referred by the physician or obtained from any other source; (2) an explanation of how he/she performed his evaluation including the nature of, reason for and results of any examinations and/or tests (e.g. blood tests, neurological exams, MRIs, a battery of psychological tests such as the MMPI, etc.) performed or ordered by the physician in the course of his/her evaluation; (3)

his/her impressions and conclusions drawn from the evaluation; and (4) An explanation of his/her conclusions as well as the reasoning and analysis which lead to them.

It is expected that, generally speaking, absent extenuating circumstances such as the need for further medical referral, the physician's report will be received by the appointing authority within thirty (30) days of the first scheduled evaluation appointment. Determinations involving potential danger or severe interference with operations must be completed and reported as quickly as possible.

7. An employee who the physician has been determined to be unable to perform his duties or who represents a potential danger to persons or to property or who presents a risk of severe interference with operations, may request a hearing to challenge said determination(s). In such event Rockland County may require the Physician to give sworn testimony at an administrative hearing with respect to his/her determination, any contrary determination made by a Union or employee retained healthcare provider, or for any related reason.
8. The medical provider must submit his/her bill for services directly to the Commissioner of Personnel.

**DELIVERABLES**

A contract with Rockland County will include the following deliverables:

- A. Initial appointment(s) for the employee will be scheduled with the appointing authority immediately after the physician is designated by the County of Rockland Department of Personnel
  - B. Report determining an employee's fitness for duty within thirty (30) days of the first scheduled appointment visit. Reports determining potential danger or severe interference with operations as soon as reasonably possible.
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- D. The EOI must identify the principal supervisory and management staff, including main contact person other supervisors and specialist who would be assigned to the engagement.
  - E. Respondents shall provide as much information as possible regarding the number, qualifications, experience and training of the specific staff assigned to this engagement. The medical provider must indicate how the quality of staff over the term of the agreement will be assured.
  - F. References - Contact names, addresses, telephone numbers and email addresses for three references must be included in the EOI. Preference will be given to medical providers with prior New York State local government clients, but such prior experience is not required.
  - G. Fee Proposal – A Fee Proposal is not required at this time. The County will contact qualified respondents after a review of qualifications for the purpose of negotiating fair and reasonable fees.
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**Paul Brennan, FNIGP, CPPO**  
*Director of Purchasing*

**ADDENDUM # 1**

**EOI-RC-2020-001**  
**Psychiatric Exams under Section 72 of**  
**New York State Civil Service Law**

The information in this addendum supersedes any contradictory information set forth in the contract documents. Acknowledge receipt of this addendum in the space provided on the signature page of the bid proposal. Failure to do so, may subject the bidder to disqualification. This addendum forms a part of the contract documents.

**Question #1: Is there an inclusion goal for WBE certified vendors?**

**Response #1: No, there is no requirement, however we encourage MWBE participants.**

**Question #2: What was the previous pricing for these examinations?**

**Response #2: Previous award has been uploaded for review.**

**Question #3: Can the examinations take place in surrounding counties?**

**Response #3: Yes, however it would be preferred to partner with Physicians in Rockland County to avoid travel.**

**Question #4: Are all the examinees located in Rockland County? If not, do examinations have to take place in the examinee's county?**

**Response #4: Not all examinees may reside in Rockland County, and it is not required to have examinations done in the examinee's County. It would be encouraged for participants to provide a list of affiliate providers in Rockland County and surrounding Counties.**

**SIGNED:**

*Paul J. Brennan*

**PAUL J. BRENNAN, FNIGP, CPPO**  
**DIRECTOR OF PURCHASING**

ADDENDUM  
10/16/20