

CALLED MEETING

COMMISSION CHAMBER

February 9, 2023

Augusta Richmond County Commission convened at 1:00 p.m., Thursday, February 9, 2023, the Honorable Garnett Johnson, Mayor, presiding.

PRESENT: Hons. Johnson, Williams, Mason, Frantom, Garrett, Scott, McKnight, Pulliam, Lewis and Guilfoyle, members of Augusta Richmond County Commission.

Mr. Mayor: All right, I think everybody's in place, Madam Clerk, I call this special called meeting to order.

The Clerk: Yes, sir, thank you, Mr. Mayor. The Honorable Jordan Johnson, District 1 commissioner, will lead us in our invocation after which the Marshal Lamkin will lead us in our Pledge of Allegiance.

Commissioner Johnson presented the invocation.

The Pledge of Allegiance to the Flag of the United States of America was recited.

Mr. Mayor: Madam Clerk, before we get started, I just want to remind the audience that today is a very important meeting for the health and safety of our community. I acknowledge and understand today's special called meeting has been one of the most contentious in our community however with that being said, this is the people's house, it demands respect so we're going to be respectful to one another. We're not going to have any outbursts and we're not going to talk over one another. So let's get the people's business done so we can go home. With that said, Madam Clerk, let's go.

The Clerk: Okay. Item #1 is to discuss a request for proposals for RFP #23-500-00 Emergency 911 Ambulance Services.

Mr. Mayor: Thank you, Madam Clerk. I see Commissioner Frantom from the 7<sup>th</sup> in the queue.

Mr. Frantom: Are we going to get a full presentation of this bid or are we just going to start with questions?

The Clerk: I'll direct that to the Administrator.

Mr. Frantom: I guess just for clarity to the attorney or Ms. Sams. The way that we did this process, the Commission is not allowed to see any of the details of the other two bids. Is that correct?

Ms. Sams: In accordance to the Georgia statute and your statute, it says that we will evaluate and rank three proposals and we did that and as we go through the process of evaluating and coming up with a vendor, we will take each of them in order and no information is to be

shared until after you complete the process with the first vendor, then the second vendor, and the third vendor.

Mr. Frantom: Okay. My next question is that the score sheets, well, first off, can we for the record who the committee members were because this body was never told who the committee members were that did the process.

Mr. Sams: Mr. Commissioner, I can't think of any time that the names of the committee members has been released. When we do evaluations of the proposals, all committee members are given a number and I don't know the number of each person that received it.

Mr. Frantom: Okay. I was told by a former commissioner this morning that committee members' score sheets have been provided in the past where we see the score sheets from each committee member?

Mr. Sams: I don't know which commissioner gave you that information but that is not something that we would normally do.

Mr. Frantom: Okay. My last question is for the attorney. Is this body allowed to make a substitute motion that is outside this contract today?

Mr. Brown: I believe the proper course of action in accordance with our procurement process is that the procurement or the user department which would be the Fire Department would present you with a negotiated contract and you are to vote on that contract. If you vote on a vendor who did not prevail in accordance with the process of Augusta's procurement, you probably will attract a lawsuit for due process violations because the scope of services which was advertised to the public which let people know if they should or should not bid produces a winner of that bid which is the highest and most fit company to do so. So it would be very difficult to see how you can select a vendor who is not the highest and most suited for the contract.

Mr. Frantom: Okay, and if the motion fails under this premise, I mean one time we've been able to open it up for reconsideration. Today will we be able to do that or is it done once the first vote?

Mr. Brown: If a motion fails?

Mr. Frantom: Yes, sir.

Mr. Brown: If the motion fails, there is no action on that vote, on the item so your item remains, can remain alive unless Commission has reason to believe that the matter has been exhausted and no possible outcome exists, no probable outcome exists to go further so I doubt on the first vote you will have that indication.

Mr. Frantom: But I guess my question is can we make a motion for reconsideration if the first vote fails?

Mr. Brown: If the first vote fails, you would not be allowed to make a motion for reconsideration because the matter has not yet been acted upon.

Mr. Frantom: Okay, thank you.

Mr. Brown: You could keep, you would just make another motion. You don't need a motion of consideration if it fails. Once you take an action, any vote that does not produce six votes for something is not an action and what I'm saying is if you don't have an action, what you call a vote that fails, then the matter is still on the table.

Mr. Frantom: Okay, thank you. Thank you, Mr. Mayor.

Mr. Mayor: Thank you, sir. The Chair recognizes the commissioner from the 1<sup>st</sup>, Commissioner Johnson.

Mr. Johnson: Thank you, Mr. Mayor. Just wanted to see if we can get a presentation. I know there are a lot of questions but if we can have a presentation on this packet before we move forward.

The Clerk: Ms. Douse, is Ms. Sams prepared for the presentation?

Ms. Douse: Yes, we have as well as Ms. Sams, our Procurement Director, and the Fire Chief is prepared, and I am as well if you would like to go through the contract as presented.

Mr. Mayor: Thank you, Madam Administrator. Next in the queue is the commissioner from the 3<sup>rd</sup>, Commissioner McKnight.

Ms. McKnight: I've got a quick question before we look at the presentation and this might be for Ms. Sams or the Administrator but or committee members and score sheets. Is that not something that is public knowledge in public? Okay, well, I just wanted to clarify.

Mr. Mayor: Ms. Sams.

Ms. McKnight: Just making sure. Just wondering why it's not.

Mr. Mayor: Ms. Sams.

Ms. Sams: Yes, sir.

Mr. Mayor: The question, commissioner from the 3<sup>rd</sup>. Can you rephrase your question?

Ms. McKnight: I just wanted to ask again, are committee members and score sheets, why is that not public knowledge to the public?

Ms. Sams: Well, the procurement has to be abandoned --

The Clerk: Mike, please.

Ms. Sams: Yes, ma'am.

The Clerk: Thank you.

Ms Sams: -- has to be abandoned and then any notes that the Procurement Department has will be subjected to public record and it will be released at that time. The individual scores will be released at that time.

Mr. McKnight: All right, thank you.

Mr. Mayor: Thank you, Ms. Sams. Attorney Brown.

Mr. Brown: I was just going to state for the commissioner from the 3<sup>rd</sup>, Commissioner McKnight, that the purpose of that rule and procedure is to avoid the interference by commissioners and others with the process. The recommendation of the committee should be done based upon the contract and there is no relevancy on knowing the names of the committee. Who is evaluating does not impact the evaluation but after Commission has taken its action in this matter, those, like other procurement records, will become public knowledge and can be obtained by open records.

Ms. McKnight: Okay, that must be after the fact we choose somebody, is that correct?

Mr. Brown: Yes, or after the fact that this procurement has ended.

Ms. McKnight: Okay.

Mr. Mayor: The Chair recognizes the commissioner from the 8<sup>th</sup>, Commissioner Garrett.

Mr. Garrett: This is kind of a follow-up on this idea around the scores and all of that. So since we can't talk about who is part of the committee can we ask which departments were part of the committee?

Ms. Sams: That's part of the public records and it's also a part of the Procurement Code which states that there will be representatives from the Procurement Office, from the Administrator's Office, from the user departments and we always have someone from the Finance Office.

Mr. Garrett: Okay. So is there not a way to show the scores without showing the names of the vendors? Would that not be admissible for public?

Ms. Sams: We are showing the scores in a manner of accumulated scores so that's how they are being shown publicly, sir.

Mr. Mayor: The Chair recognizes the commissioner from the 5<sup>th</sup>, Commissioner Williams.

Mr. Williams: Aren't you going to do a presentation?

Ms. Sams: We are going to talk about the process, yes, sir.

Mr. Williams: So let me go after she finishes with her presentation. Is that okay, sir?

Mr. Mayor: Yes, sir, that will be just fine. All right, Ms. Sams, are you ready?

Ms. Sams: Yes, sir. What you have in your hands is a vendor's timeline. The timeline that you now have, gentlemen, earlier if you recall I think around the 24<sup>th</sup>, 25<sup>th</sup>, we submitted the timeline for us to start. Well, after beginning the process of course, the vendor –

Mr. Mayor: Ms. Sams, can you pull the mike a little closer, please, if you don't mind?

Ms. Sams: The vendors' part of that was not included simply because we didn't know who the vendors were going to be. Everything that you see in blue shows that the vendors received notification of when we identified the vendors as to who would be returning to the Procurement Department to do presentations and to do, and to ask questions during the evaluation process and I need to put in record because I read somewhere that a vendor said that they were not notified so the first notification went to all three vendors. Gold Cross received theirs at 3:44, AmeriPro received theirs at 3:47 and AMR received that notification at 3:55 and that notification stated that they were to appear before evaluation committee and gave the time and also gave the zoom information for them to be present for that evaluation. The vendors' confirmation notification was also sent to all vendors and that was sent on February 7. Gold Cross received that notification at 8:46 a.m., AmeriPro received it at 8:48, AMR received theirs at 8:51. That notification simply stated, and I need to put this on record and it was from the Procurement Department, Ms. Williams sent this notification out, we look forward to speaking with you this afternoon. As a reminder, your interview presentation time is at the times that I said. The time will be no longer than 30 minutes. You will be given an opportunity to introduce your company. The committee members will also be given an opportunity to discuss with you your plan of action should you be chosen the vendor to partner with Augusta, Georgia. As we submit our zone application to the state of Georgia, you will be asked to elaborate on the number of ambulances, your plan to provide to Augusta Georgia along with your total annual fee. All vendors received that in accordance to the times that are listed on this sheet. Of course, the committee did the evaluation on February 7 and there you see vendor one who was selected, Gold Cross. Vendor two was AmeriPro. The committee finalized the vendors selection on Wednesday, February 8 and today we are here. Gentlemen, we are here with a contract from a vendor that has gone through the process and the committee has ranked according to the sheets that each of you have received to be the best suited for Augusta, Georgia. Augusta's Procurement Department followed all rules, regulations as guided by the state of Georgia and your Procurement Code and Mr. Mayor, I'd like to take a little bit of time to go through some of those codes.

Mr. Mayor: Yes, ma'am, please. Thank you.

Ms. Sams: Thank you, sir. We were talking earlier about the release of information. I would like to share with you the state of Georgia Code and it says, pending, rejected or deferred sealed bid or proposals and detailed cost estimates related to until such time as a final award as a final award of a contract is made, the project is terminated or abandoned or the agency in possession of the records take a public vote regarding the sealed bid. I cannot release the information to you that you seem to think this is first time we have withheld that particular information. I cannot say to you the importance of making sure that we follow all the laws and all of your Procurement Code. There were questions asked stated in the newspapers about the process and the score sheets as it relates to ranking. Well, in order to receive local vendors' preference your bid cannot exceed \$100,000. That's per your Code so what the Procurement Department has done is called, if you look at your sheets that you received on last night, we look at how far a company is from an area, is located from this area, and we give points to the vendors who are closer to Richmond County. After reading this morning that there was perhaps an oversight of the procurement regulations, let me stand before you and say that's not the case. It's not the case first because vendor preference is not a part of this RFP. Vendors preference is not a part of this RFP so I guess someone is asking why. Why isn't it a part? It's not a part because as I stated, your amount exceeds \$100,000. It exceeds \$100,000. That's our reason. Yes, sir. Okay, if you look at number six. It says within Richmond County. It says within the CSRA and it says within Georgia and it lists other states that would be appropriate. Well, according to the information that we received from Gold Cross, the address submitted was Martinez. The other information that we received from all the other cities will speak for itself and of course on your sheet, you will find those addresses. One was from Atlanta, one was from Stone Mountain, Gold Cross submittal said Martinez so I don't think that that was an oversight. We asked the vendors to come back and do a presentation and talk to us and you see that outcome coming from the people that were voting. Procurement does not vote. We oversee the process. We are at a point and, Mr. Mayor, I hear you and I hear all of you, I hear the citizens, I hear everybody. In the last week we have received numerous phone calls from our public, from some of you about this. The timeline I've heard that your backs are pushed against the wall. We didn't do it. We did not do it. We followed directives from the state of Georgia that gave us ten days to do a process that normally takes anywhere from 45 to 60 days and even when we had that challenge, Mr. Mayor, I'm sure so many people thought that that would not happen. We got comfortable in thinking that was impossible but then we were able to do it and we were able to do it appropriately and according to the rules and regulations that governs this city and your procurement rules and regulations. As a Procurement Director, this appointment came to me. When I got home and before I could get home, it was all over the news. Now is that an appropriate way to release information to our public? I think not because then we became subjected to public opinion and now the first thing today I hear that people want to know the representatives who voted. I wish that not on anyone in Augusta, Georgia that sits around the table to do evaluations because let me tell you, Geri Sams has caught enough hell just sitting in the seat. We talk about being real. We talk about being open. We talk about being fair but then why do you do this to me? I'm going to follow the rules and ya'll have stood by me on many situations and our backs were against the wall and, Mr. Mayor, let me tell you we came out of every situation victoriously. We came out of every challenge victoriously and we, although we had this ten-day challenge, we came out of that as a Procurement Department professional, abiding by all your rules and regulations. This committee that you guys put together did their jobs. So please consider this procurement being appropriate, fair and open and anything you need after you

make a decision up, down, around the corner or wherever, we will be able to release the information for the public to see what we saw and why these scores appears the way they do.

Mr. Mayor: Thank you, Ms. Sams. All right, we're going back to the queue. Commissioner from the 5<sup>th</sup>.

Mr. Williams: All right, I want to make a suggestion then I want to make a motion. Ms. Sams, is the vendor in here today?

Ms. Sams: Yes, sir, he is.

Mr. Williams: The Ameripro vendor? Can we have him to come up here and introduce himself?

Mr. Mayor: Yes, sir.

Mr. Williams: And give us a little, whatever they figure they can do for Augusta.

Mr. Mayor: Yes, sir, please. Sir, before I allow you to introduce yourself, that's just one question, one additional question from Ms. Sams that the commissioner from the 8<sup>th</sup> has asked.

Ms. Sams: Yes, sir.

Mr. Garrett: Thank you. Actually, I have a couple of questions just in regards to your speech you just gave. I'm not sure why you felt you were attacked or whatever but that's beside the point. You know we're here to talk about one issue and one issue only. So can I ask you a question? Were all the vendors, during the question-and-answer section of the process, were they all asked the exact same questions?

Ms. Sams: Yes, sir, those that were appropriate, but you know questions don't always, yes, they were asked the same questions and sometimes when you ask that question to one vendor, it might lead to another question.

Mr. Garrett: Okay, I'm just trying to make sure that I know like when you interview people for jobs, it's very important that you ask the same questions that way you're able to evaluate them all equally and fairly.

Ms. Sams: Yes, sir.

Mr. Garrett: So looking through the RFP and all of the requirements that were submitted, you mentioned earlier that price was not included, or actually you said that this exceeded the \$100,000 dollar mark so the local preference was not part of the process so looking at the RFP, price was not included either so how were you able to waive that part? I mean --

Ms. Sams: How were we able to, can you repeat that, sir?

Mr. Garrett: So looking at the scoring and the RFP, pricing was never a part of the equation so how were you able to waive the \$100,000 mark?

Ms. Sams: I didn't waive any \$100,000 mark.

Mr. Garrett: I'm just asking the question.

Ms. Sams: I know and I understand the question so let me stand down just a little and give you a proper answer. If you look at the Augusta Richmond County Code 1-10-6, that's where we have a local vendor preference and if you look at D, it will be self-explanatory in that it says that

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Mr. Garrett: I think you're missing my question. Pricing wasn't part of the scoring. Pricing wasn't part of the total RFP so how were you able to state that the local preference wasn't included?

Ms. Sams: That was going to be the second part of my answer.

Mr. Garrett: Okay.

Ms. Sams: And the first part that your concerns were are the local vendor preference and I was just letting you know where you could go and find it in your Code. And we went into there knowing and it would have been nice if we could have gotten a bid for \$99,000 but we all knew that that wasn't going to happen. So it was rather easy for me to determine that there was no way to give anyone a local preference of any sort. The bids were all negotiated by the committee. The sealed envelope was after the evaluation and according to the law and your Code.

Mr. Garrett: All right, and my last question looking over the RFP one of the statutes that was set for anybody that applied for this had to have an ambulance license for at least five years. Does the company that is being sent in front of us meet that qualification?

Ms. Sams: Yes, sir, they do.

Mr. Garrett: Okay and I raise that question because it looks according to the Secretary of State's website, it looks like their ambulance license was not in effect until March of 2018 which would put us about a month short of that meeting that five-year. They have a business license from January. They didn't have an ambulance license.

Mr. Mayor: Commissioner Garrett, we'll have —

Ms. Sams: And I would answer that question. I would want you to also look at the RFP. The RFP does not say that they have to have a license in the state of Georgia. So and it said that they had to have, I'll let the company speak to that but I just don't want you to limit it, the license through the state of Georgia.



Mr. Garrett: I just figured that it would be a license for the state of Georgia since we were operating in the state of Georgia but thank you.

Ms. Sams: You're welcome, sir.

Mr. Mayor: Thank you, Ms. Sams. Sir, if you will for the record state your name and address.

Mr. Larry Richardson: My name is Larry Richardson. I'm the Chief Business Officer, Executive Vice President and Co-Founder of AmeriPro Health. My home address is in Sinoia, Georgia. 100 Whetstone Road, Senoia, Georgia, where they filmed The Walking Dead.

Mr. Mayor: Great. I have a few commissioners in the queue. I have one in the queue from the 10<sup>th</sup>. Commissioner Guilfoyle, do you have a question?

Mr. Guilfoyle: Yes, sir. I did not know if it was appropriate to ask Mr. Larry some questions to make sure I am not out of line.

Mr. Mayor: Let's get a presentation.

Mr. Guilfoyle: Okay. Absolutely.

Mr. Richardson: Okay, so AmeriPro Health has been a tech enabled ambulance company. We pride ourselves on professionals with integrity and commitment. I got out of the Marine Corps, it didn't get out of me. We built our company on those core values. We are currently serving five states right now. Our Florida operation has been in service under a Certificate of Need since 1992. We have ambulance services in Mississippi, Tennessee under the name of CareMed EMS which falls under the AmeriPro Health umbrella and then we have AmeriPro EMS that functions in Georgia and then changed the name to the Florida organization to that as well as now Tennessee and Alabama, moving operations into Alabama. We function heavily on critical care and highly acute patient transports. Every single one of our ambulances since our inception and everything has been brand new. We have never spared costs or anything when it comes to ambulances. We actually replace our ambulances at 180,000 miles. We are currently doing an entire fleet refresh right now. We are at about 135 ambulances as of last night. We have another ten ambulances that will be dropping in the next 12 days. We currently are at 600 personnel including response personnel, support staff and everything. We have two communication centers licensed in EMD. One is in Jacksonville, Florida and one is in Morrow, Georgia. The one in Jacksonville is not EMD certified but the one in Morrow, Georgia is. Every single ambulance that we have is tracked by three different means of GPS. We've got a high level of accountability on all of them. You get live feed from inside the ambulance at the front of the cab, not the patient compartment. And we've never relented on anything that we've done. We've partnered with every prestigious healthcare system in Atlanta, Northside, Piedmont, Emory, Wellstar and as well as in Jacksonville we are contracted with Baptist Health System, Ascension, HCA and the University of Florida in north Jacksonville. I'll pause now for any questions

Mr. Mayor: Commissioner from the 5<sup>th</sup>.

Mr. Williams: I want to make a motion to approve.

Mr. Johnson: Second.

Mr. Mayor: All right, Madam Clerk, we have a motion.

The Clerk: Bobby Williams and Mr. Johnson to approve.

Mr. Mayor: All right, we have a motion and a second. Attorney Brown.

Mr. Brown: I would simply unless the Commission knows, is the assumption that you are approving the proposed contract as presented by Procurement and the Administrator?

Mr. Williams: Yes, sir.

Mr. Mayor: All right, commissioner from the 10<sup>th</sup>.

Mr. Guilfoyle: Yes, sir, Mr. Mayor, you know I just opened up this contract today trying to get a grasp of it. I did my research, started yesterday on this company. What I'm finding out is you know they, apparently, they buy out other companies, but in the state of Georgia they have 38 ambulances available that they take care of different municipalities. They do support in DeKalb County for AMR and this is what I found on the internet so Mr. Larry, I'm hoping I'm saying all this correctly, but what I'm finding out is they have not done a jurisdiction over 22,000 residents before. That's where the biggest area that covers that they have. Augusta, Georgia is 207,000 people and it ranges from the river all the way to Burke County from Ft. Gordon and my concern is bringing in a new company what will happen. They are going to have to have support. If we have an incident, we've got a lot of factories here, we've got a lot of schools, God forbid if we have an incident in the school and they supply us eight ambulances and then two ambulances for 12 hours a day so basically we get nine ambulances for the tune of \$1.6 million dollars. I'm concerned about the action we're fixing to take based on a 30-minute conversation I guess they're in the RFP procedure but at least I know the company here local. They have been here numerous years, has employees over 250 of our residents, the money stays here locally. If we deal with this company coming in, the money goes out of this area. The employees are going to be coming from out of this area plus you know it's \$2.16 million dollars on the face side of this contract but we're going to have to look at the other aspects of this contract. We are housing this company in our own fire stations free. We kicked Gold Cross out years ago. Nobody's willing to discuss that. We also have to modify our 911 Department, have new people come in. this contract is not only going to cost us \$2.16 but time we give the amenities in hiring the extra staff for 911 we're going to look at \$3 million dollars and what we had two weeks ago is a contract with our local provider for \$1.75 mil and we turned it down. So here we are looking at something to double us. Double the cost for us. I've never seen a company treated the way Gold Cross has. They go from \$1.4 million down to \$650,000 the last four years and expect to keep providing the same service. That's hard to do. I'm a business owner myself, I couldn't do it. But they kept their composure, kept a smile on their face the whole time and that says something about their character. They employ our

local people. So I'm going to make a motion to give Gold Cross a one-year contract at current terms and rate that we have set aside for them right now on the monthly terms.

Ms. McKnight: Second.

Mr. Mayor: All right, Madam Clerk, we have a substitute motion and a second.

Mr. Guilfoyle: Thank you, Mayor.

Mr. Mayor: Mr. Richardson, I'm going to allow you to come back and answer a question regarding, you had a question, Commissioner Guilfoyle, I'm going to get to you in just a second about the service area. Let me ask this question first. Commission Guilfoyle, can you restate your question regarding the –

Mr. Guilfoyle: Mr. Larry, you've got 38 ambulances total in the state of Georgia, is that correct, at this time, registered with the state of Georgia?

Mr. Richardson: Probably, yes.

Mr. Guilfoyle: Okay. You're going to put nine, ten here in Augusta, Georgia.

Mr. Richardson: Well, actually 13.

Mr. Guilfoyle: Okay, quick response vehicles will make up the difference, correct?

Mr. Richardson: That would be 16.

Mr. Guilfoyle: Okay. In order to have backup support, you've got no different than you have in DeKalb County where you back up AMR, is that right?

Mr. Richardson: We currently do not do that anymore.

Mr. Guilfoyle: Okay, so you're no longer in DeKalb County.

Mr. Richardson: No, we only had two ambulances during the daytime hours there and it was just as a mutual aid agreement.

Mr. Guilfoyle: Okay, under your mutual aid which hopefully there's one in this contract, who are you going to get to be your back up support as far as resources because I know you can't pull a resource from outside the area because your closest location is what, three hours away?

Mr. Richardson: Correct. So we would use local ambulance services to talk with them and negotiate with them with a mutual aid contract.

Mr. Guilfoyle: Do you already know which ambulance service you're going to be speaking with?

Mr. Richardson: We'll be speaking with all of them.

Mr. Guilfoyle: Okay, I'll let you have that one.

Mr. Richardson: It's our responsibility to vet them and that's what we pledge to do for the City of Augusta. We want to be able to mitigate this process and take the stress off of the city to do that so I think we, and our leadership has roughly about 240 years of operating high emergency zones from Texas to Tennessee to Georgia to some of the busiest zones in America and we didn't get there and we didn't get to the size that we are now by not understanding what we do and not knowing what we do. We're very good at what we do, and we are very proud of the company that we are.

Mr. Guilfoyle: Mr. Larry, under my understanding of reading up on you yesterday, you have set contracts with the different municipalities and within a short time you had to go back before that body and request more funding. Is that correct?

Mr. Richardson: That is correct.

Mr. Guilfoyle: How many times different cities did you have to do that to, sir?

Mr. Richardson: One.

Mr. Guilfoyle: Once?

Mr. Richardson: It was with a regional contract between us and Lamar County and the reason is when the previous vendor left, we did not understand the infrastructure nor did the counties understand that infrastructure and when we came in, one of them was the largest cost that they had no communication infrastructure so we undertook that to build that communication infrastructure for them as well as their facilities were not suitable for inhabitants because they were all reserve fire stations. Some of them did not have the capabilities for us to house our units in so we had to go back to the county with the hospital's station that was there because it was the only place for the infrastructure. Nor did the Upson County or Lamar County knew of that so as a reference inside of our RFP I put them as our first references so they could explain that in their own words if you would like to talk to them.

Mr. Guilfoyle: Okay, and as far as you didn't understand the infrastructure is the reason why you went up on cost. Is there any infrastructure in this contract that you do not understand?

Mr. Richardson: No, it's very clear in that. The previous infrastructure, because it was owned, the company that was there before bought it from the hospital, Upson Regional Hospital, so not the county nor us nor anybody knew that that infrastructure was not there. And we protected the county with actually going in and helping them with their communication infrastructure because they were under severe problems with HIPPA non-compliance.

Mr. Guilfoyle: Okay, and the first ambulance service that your company has acquired which is your CEO which actually this gentleman here is actually the president of the, but he's not the owner, acquired his first ambulance service? Who is your owner?

Mr. Richardson: Me, sir.

Mr. Guilfoyle: You're not the same picture that I seen in my research.

Mr. Richardson: It's owned by me and my business partner.

Mr. Guilfoyle: Who is your business partner?

Mr. Richardson: Suhas Uppalapati.

Mr. Guilfoyle: That's the one I've seen.

Mr. Richardson: Yes, sir.

Mr. Guilfoyle: Okay. First acquired in 2018? Ten ambulances from a business that's been in business for 54 years, I believe?

Mr. Richardson: Yes, sir. (inaudible) Ambulances Services, Inc. down in Jacksonville, Florida.

Mr. Guilfoyle: Okay, that was your first acquire?

Mr. Richardson: Yes.

Mr. Guilfoyle: In 2018?

Mr. Richardson: Sorry?

Mr. Guilfoyle: You acquired that in 2018, January of, no, April, I'm sorry, April of 2018?

Mr. Richardson: No, that acquisition was, I can't remember when that acquisition was exactly. It was in 2018, I believe.

Mr. Guilfoyle: Thank you, sir.

Mr. Richardson: -- it has been in service under a CON application since 1992.

Mr. Mayor: Thank you, sir. The Chair recognizes the commissioner from the 1<sup>st</sup>.

Mr. Johnson: Thank you, sir. I don't have any questions, sir. I have a couple of questions for our staff. So this is mostly for the Administrator or our attorney. What happens if this contract doesn't pass today?

Mr. Brown: Augusta, I'm just assuming what you mean –

Mr. Johnson: I mean that this body doesn't vote to take the recommendation of the staff. What happens then?

Mr. Brown: Then Augusta would be a potential applicant without the apparent needed ambulance service it would need to be a viable applicant. In other words, it would more than likely doom Augusta's ability to successfully secure the zone or to be seriously considered at the DPH level.

Mr. Johnson: Okay, thank you. So my only comment here is that we've been going around this mountain now for a while. We've gotten ourselves to the point until we finally all agreed that we needed to allow our staff to do the job and we needed to get out of the way, something that it seems that we just can't do. The media put out the information about this shortly after I received the email from staff. I have a question. How did they get that information? Was it by an open records request? How did the media get that information? Okay, you don't have to answer that publicly. I kind of know what happened. Somebody from up here gave it to them. So the point that I want to attempt to make here is that at this point this conversation isn't about Gold Cross. Nobody ever said we didn't want Gold Cross. This question was never about Gold Cross. When we got to this point and the contract was presented to us that we had never seen and we wanted to pass it anyway, Gold Cross said okay, we're going to get the zone back and they walked. Everybody got on TV and said there's no plan. Grandma is not going to get picked up even if that wasn't true. So then we came back to the table a couple of days later and agreed to let our staff do our staff's job, put Gold Cross on a month-to-month, staff has come back, done what they said that they were going to do and we're still questioning the integrity of the people that we hire and that we pay because they're not coming back with the people that we want personally. Now, come on, let's not make this about a company. At the end of the day my father could need an ambulance today. Perhaps some of your family members could. We all have sick family, elderly family. So either we're going to play politics and let folks sit here in the community and not have ambulatory care or we're going to do something for a change as a body that actually benefits the community. I mean it's not like we're doing much else so I'm getting sort of frustrated here because the politics are starting to smell. We have to pick people up if they fall, if they get hurt and we have an opportunity to do that. As much as I love Gold Cross, as much as I love everybody else, it's not about them. It's about the people outside of this chamber that's going to feel the sting of our stank politics. Now we don't need to keep going around this mountain. If you want a company, just say that. Just say it. But if you actually want quality service in Augusta Richmond County at a price that we can all agree to, vote, but then we don't need to be brining companies up here and grilling them as though this is a senate judiciary committee hearing. The politics stinks and you're going to be held accountable for it.

Mr. Mayor: Thank you, Commissioner. Commissioner Williams, you want to go first? Commissioner Garrett, you're up, sir.

Mr. Williams: Yeah, I had a motion on the floor really and truly, I just want to call for the question. We're going around and around and like Commissioner Johnson said, you're beating up

the staff for doing their job trying to find holes in this thing. Look, either vote it up or vote it down. When we leave here, I'll be just fine. I'm going to get me a hamburger when I leave here. So let's just vote it up or vote it down.

Mr. Johnson: Mr. Mayor, I have one more point. Can I make one more point, sir, before we vote?

Mr. Mayor: One more point, sir.

Mr. Johnson: Okay. I want to also make a point that we stood in front of our communities this past weekend and looked them dead in their eyes and told them we would take the recommendation of our staff and I would hope that we did not stand up in front of a community of people and tell a lie publicly. So I said that and other people said that as well. And so the point that I'm making here is we have an obligation to our communities especially if we come out of our mouths and tell them that we're going to support what our staff brings to us. I hope that we'll be able to keep our word to our communities today. Thank you, sir.

Mr. Mayor: Thank you, Commissioner. Commissioner Garrett.

Mr. Garrett: Thank you, Mayor. This question is actually for the owner of the company we're considering. So reading the contract that says there is a six-month ramp up time, is that correct?

Mr. Richardson: Correct.

Mr. Garrett: Okay, what is your plan of action over the next six months to make sure that we have adequate coverage in this county if you are approved today?

Mr. Richardson: Well, we have the brand-new ambulances. They'll be dropping in the next ten days, ten to twelve days. We're going to get those inspected rather quickly and then once we're going to get that, we're able to do the transition immediately. That grace period is more along the lines of us having leniency when it comes to the fines as far as response times and that was an agreed upon negotiation with us to just make sure that we have, I mean there are supply chain issues globally. I can't affect supply chain issues globally, I mean, but we have ten ambulances already stocked up inside of a storage facility, although soft equipment like cardiac monitors, all that stuff. We have ten ambulances sitting there so we're not waiting on that. The other ten ambulances will be here in ten or twelve days.

Mr. Garrett: Understood. And so if there is no contract put in place today, are you still applying for the zone with the state of Georgia?

Mr. Richardson: I had not thought about it in the sense we were partnering with the City of Augusta so that they could get their zone and I think they should. But if not, I mean it has crossed our executive team's mind to do so. We actually have a conference call after this to decide whether or not.

Mr. Garrett: Thank you.

Mr. Mayor: All right, last commissioner in the queue before we move forward. Commissioner Frantom.

Mr. Frantom: Yes, thank you, Mr. Mayor. I just want to assure the people that you know two weeks ago we were voting on Gold Cross and the people that didn't support it said that people were going to get picked up and people are going to get picked up in Richmond County regardless of how this vote is. Just understand that. However this vote ends you're going to be fine. We still have I guess a month-to-month contract until something happens but you're going to be fine, Augusta. Thank you.

Mr. Mayor: All right, Madam Clerk, so we have a substitute motion that's on the table and properly seconded. If you don't mind, just read that motion and as a reminder to my colleagues on the Commission, this will be a roll call vote in that our software is not working. Commissioner.

Mr. Speaker: (inaudible).

Mr. Brown: Yes, sir. I stand by the fact that my advice to you is to not vote on it. I believe to select another vendor over the recommended one without shown justification would subject Augusta to a serious and viable legal action against Augusta. The procurement process that the Commission approved by way of its ordinance said the procurement would occur by having it go to the Procurement Department by having user departments, Finance and other relevant department to have a strict procedure so that the bids would be protected, it would be sealed, they would be publicly opened for anyone including the press to attend which occurred in this instance and they would be evaluated and that team, procurement team would negotiate a contract and Commission in procuring this matter would consider that contract. In the past it has been my understanding if that contract was not approved, the bid had to go back out to the public for another bid.

Mr. Williams: So this vote that we're about to take on Gold Cross is outside of what you're advising us to do?

Mr. Brown: Yes, it is based upon the rules and the procedure as well as the policies and custom of Augusta I would advise and I previously advised that the vote should be on the proposal that was won and negotiated by Procurement. But I have no authority to stop Commission of course from making a motion as they see fit. It's just my duty to advise you that you put Augusta in legal harm's way to do so.

Mr. Williams: Thank you, sir.

Mr. Mayor: Thank you, commissioner from the 5<sup>th</sup>. Commissioner Garrett, you have a quick question for Attorney Brown?

Mr. Garrett: Yes, so the way that you answered that you're making it sound like we, the substitute motion on the floor would be accepting the RFP. I think the motion on the floor is extending the current contract which is not the RFP.



Ms. McKnight: That's what I (inaudible).

Mr. Brown: Could you read that motion please, Madam Clerk?

Mr. Garrett: The substitute motion.

Mr. Brown: The substitute motion, right, the substitute motion.

The Clerk: Is to a year, is to award a year contract to our current ambulance provider under the terms and conditions, under the same terms and conditions.

Mr. Brown: Is that, is that, that almost is, that is a contradiction actually if that's what is meant by the motion. You have a contract from month-to-month so I do not understand the motion if it is not to provide the zone to Gold Cross which this body cannot do because as of February 1 Gold Cross legally abandoned the zone and now that zone is going to be provided for by Department of Public Health.

Mr. Mayor: Commissioner Guilfoyle, let me ask you. Restate the intent of your motion, please.

Mr. Guilfoyle: The intent of my motion today, Mr. Mayor, one, was to save the county money by doing this month-to-month into a year contract of \$150 (sic) a month and we're going to roll it into a year contract. Number one. What I'm saying bringing in a different company from out of town they had, I don't even need to say anything about another company, but anyway in other words just to bring Gold Cross from a month-to-month contract to a year contract and we could still apply for the zone at that moment, sir.

Mr. Mayor: Thank you, Commissioner.

Mr. Guilfoyle: And what the attorney is saying is different from the previous attorney that I had worked with for eight years –

Mr. Mayor: We're not going to go into any different attorneys. It has to stay relevant to this attorney. Thank you. Attorney Brown.

Mr. Brown: Does the governing body understand how that will work? How can you commit to a year when as the body has already stated and has been outlined that a provider will be, what will result from the state's vote after February 10. How can this body commit to Gold Cross being an ambulance service for a year when we will not have authority to make them an ambulance service in Augusta?

Mr. Johnson: Will the gentleman withdraw his motion?

Mr. Brown: The month-to-month could last for a year if there is no, we've already committed that they will have a month-to-month until there is an operational provider. If it takes

six months, if it takes a year, if it takes two years, but to say for a year we commit and will pay you for a year when there is almost no likelihood that we will have the legal ability to have them operate in Augusta once DPH appoints a provider. It just doesn't, it doesn't work.

Mr. Guilfoyle: Mr. Mayor, let's call for the question.

Mr. Johnson: Point of order, Mr. Mayor.

Mr. Mason: Request the gentleman withdraw his motion.

Mr. Mayor: I think the intent of the motion, I think the intent of the motion is to perhaps for the sake of the taxpayer to see if we can convert the month-to-month contract to Gold Cross under the current terms and then in conjunction with them apply for the zone on tomorrow which saves the taxpayer money based on what we're paying month-to-month.

Mr. Johnson: Point of order, Mr. Mayor.

Mr. Mayor: My question to you, Attorney Brown, is it permissible to vote on that motion that has been submitted by the commissioner from the 10<sup>th</sup>?

Mr. Brown: You can make it but it's a motion he made. You're not eligible to –

Mr. Mayor: Not me, but can the motion continue to stand with the second?

Mr. Brown: The body can make the motion. Again I believe that as I originally said because you haven't interpreted as I interpreted it, that the motion will to say that from this procurement we are going to vote on a vendor that was not the prevailing vendor will put, will create a procurement violation, will create a potential for a lawsuit and will make the City vulnerable for violating its own procedures. I will just as much as I can and respectful I can to advise you not to do that.

Mr. Mayor: Commissioner from the 10<sup>th</sup>, would you like to continue with your motion or would you like to withdraw your motion? You'd like to continue. All right, Madam Clerk, we have the substitute motion.

Mr. Johnson: I called for a point of order twice, Mr. Mayor. I called for a point of order twice, Mr. Mayor. You're not going to be able to silence me today. I asked for a point of order twice. Rules and regulations state that you have to accept my point of order. Get me a tissue. I don't need a tissue. What I need is for us to do the right thing up here and if we want to make a joke out of it, the attorney is telling us that voting on an item like this could put the City in so much harm. Just like the attorney told us weeks ago that voting for the contract that we tried to vote on without Gold Cross having the zone would have put us in a bad position and it was said that with six votes we could do anything. Not break the law. So we can make insults and we can make jokes but this is not SNL. What we're asking to do is not permissible. Withdraw the motion and vote on what is germane. We smell the politics, and we see the politics.

Mr. Mayor: The Chair recognizes the commissioner from the 10<sup>th</sup>.

Mr. Guilfoyle: Mr. Mayor, after consideration and talking to my long term colleague as well as you, Mr. Mayor, I rescind my motion.

Mr. Mayor: Thank you, Commissioner. All right, Madam Clerk, that, second. The motion has been rescinded, it has been rescinded. We're going to go our original motion which has been properly seconded. Can you read it for us, please?

The Clerk: Original motion is to approve the proposed contract as presented by the Administrator and the Procurement Department.

Mr. Mayor: Thank you. I'm going to recognize one person in the queue. All right, Madam Clerk.

The Clerk: Mr. Frantom.

Mr. Frantom: No, ma'am.

The Clerk: Mr. Garrett.

Mr. Garrett: No, ma'am.

The Clerk: Mr. Guilfoyle.

Mr. Guilfoyle: No, ma'am.

The Clerk: Mr. Johnson.

Mr. Johnson: Yes, ma'am.

The Clerk: Mr. Lewis.

Mr. Lewis: Yes, ma'am.

The Clerk: Mr. Mason.

Mr. Mason: No, ma'am.

The Clerk: Ms. McKnight.

Ms. McKnight: No, ma'am.

The Clerk: Ms. Pulliam.

Ms. Pulliam: Yes, ma'am.

The Clerk: Ms. Scott.

Ms. Scott: Yes, ma'am.

The Clerk: Mr. Bobby Williams.

Mr. Williams: Yes, ma'am.

Motion ties 5-5.

The Clerk: Mr. Mayor, will you be voting?

Mr. Mayor: Yes, ma'am, I will.

The Clerk: Mr. Mayor.

Mr. Mayor: And I vote No.

Mr. Frantom, Mr. Garrett, Mr. Guilfoyle, Mr. Mason, Ms. McKnight and the Mayor vote No.  
Motion fails 5-6.

Mr. Johnson: Point of personal privilege. Just want to remind everyone up here that we told our constituents that we would take the recommendation of our staff and that had not been done. Thank you.

Mr. Frantom: Mayor, is it eligible to put Commissioner in District 10's motion back on the floor now?

Mr. Mayor: Mr. Attorney.

Mr. Brown: The agenda item that brought you to this meeting remains in effect and there can still be commission debate and activities and subject to motions.

Mr. Frantom: Okay.

Mr. Mayor: Commissioner from the 10<sup>th</sup>, are you interested – wait a second, I want to see if the commissioner from the 10<sup>th</sup> is interested in putting this motion back on the table.

Mr. Guilfoyle: Madam Clerk, do you still have my motion written down?

The Clerk: Yes, sir.

Mr. Guilfoyle: Thank you. I'd like to remain with my motion then if I could get a second.

Mr. Mayor: I have a motion. Is there a second?

Ms. McKnight: Second.

Mr. Mayor: All right, before we go through this vote we're going to go through, we've got some folks in the queue. Give me just a second. Commissioner from the 5<sup>th</sup> I do not see you in the queue but now I do. So, commissioner from the 5<sup>th</sup>.

Mr. Williams: Mr. Attorney.

Mr. Brown: Yes, sir.

Mr. Williams: Can they now put that on the floor? I'm thinking (inaudible) pass.

Mr. Brown: My understanding is that, excuse me?

Mr. Williams: I said I just thought the opportunity to make a motion for this has already passed since they took it off the floor and we did one.

Mr. Brown: No, the agenda item has not been acted upon therefore it remains on the agenda. If my understanding is that is the same motion that was made previously.

Mr. Williams: Are we able to put anything on the floor or are we voting on the RFP?

Mr. Guilfoyle: Call for the question.

Mr. Williams: You can call for it after I get finished.

Mr. Mayor: Mr. Williams.

Mr. Williams: So, hang on, I'm talking. You're interrupting me now. I've been quiet the whole meeting. Ya'll know – all right, I stand down.

Mr. Mayor: So, Madam Clerk. Attorney Brown.

Mr. Brown: Yes, if the, I believe the motion needs clarification. If the motion is to make Gold Cross, to award Gold Cross this RFP and make them, it's not that?

The Clerk: No, the one year.

Mr. Brown: Okay.

Mr. Garrett: Actually I have a question in regards to that.

Mr. Mayor: Wait a second. Are you ready for your question?

Mr. Garrett: Yes. So going back to what Ms. Sams said earlier, she said that if action wasn't taken on the first item of the RFP then we can go to the second, correct?

Mr. Williams: Mr. Mayor, we've got a motion on the floor.

Mr. Mayor: All right, we have a motion and we have the second.

Mr. Garrett: Did I misunderstand you?

Mr. Mayor: This is not related to an award of the RFP as it stands. It was a substitute motion by Commissioner Guilfoyle to convert the month-to-month contract with Gold Cross to a one-year contract that will allow Augusta to pursue the zone and it's under the current terms which has been negotiated of \$150,000 per month which annualizes how much?

Mr. Brown: I believe that matter must not be allowed. If that's the interpretation of the motion, that should not be allowed on the floor. That motion, that subject matter is not on your agenda.

Mr. Mayor: Madam Clerk, for the sake of our community, we have a motion and I (inaudible).

Mr. Johnson: For the sake of yourselves, not your community. Don't misstate. Don't misstate.

Mr. Mayor: Sir, you are out of order.

Mr. Johnson: This whole process is out of order, Mr. Mayor.

Mr. Mayor: We have a motion and a second. Madam Clerk, we're voting.

The Clerk: Mr. Frantom.

Mr. Frantom: Yes, ma'am.

The Clerk: Mr. Garrett.

Mr. Garrett: Yes.

The Clerk: Mr. Guilfoyle.

Mr. Guilfoyle: Yes, ma'am.

The Clerk: Mr. Johnson.

Mr. Johnson: No, ma'am.

The Clerk: Mr. Lewis.

Mr. Lewis: No, ma'am.

The Clerk: Mr. Mason.

Mr. Mason: Yes, ma'am.

The Clerk: Ms. McKnight.

Ms. McKnight: Yes, ma'am.

The Clerk: Ms. Pulliam.

Ms. Pulliam: Abstain.

The Clerk: Ms. Scott.

Ms. Scott: No, ma'am.

The Clerk: Mr. Bobby Williams.

Mr. Williams: (inaudible) already abstained. I was (inaudible).

Mr. Johnson, Mr. Lewis, Ms. Scott and Mr. Williams vote No.

Ms. Pulliam abstains.

Motion fails 5-4-1.

Mr. Mayor: Thank you. Have a great day. Appreciate you guys being here.

[MEETING ADJOURNED]

Lena J. Bonner  
Clerk of Commission

**CERTIFICATION:**

I, Lena J. Bonner, Clerk of Commission, hereby certify that the above is a true and correct copy of the minutes of the Called Meeting of the Augusta Richmond County Commission held on February 9, 2023.

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Clerk of Commission