

County of Passaic

Board of County Commissioners



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Date: Feb 11, 2025 - 5:30 PM

Agenda: RESOLUTION EXERCISING THE FOURTH ONE (1)-YEAR OPTION WITH POWERBACK, FORMERLY KNOWN AS RESPIRATORY HEALTH SERVICES, LLC FOR RESPIRATORY THERAPY SERVICES FOR PREAKNESS HEALTHCARE CENTER, PURSUANT TO N.J.S.A. 40A:11-4.1 ET SEQ. AND RFP-20-029

THIS RESOLUTION WAS REQUESTED BY:
PREAKNESS HEALTHCARE CENTER

REVIEWED BY:

Matthew P. Jordan, Esq.

APPROVED AS TO FORM AND LEGALITY:

Nadege D. Allwaters, Esq.

Official Resolution#	
Meeting Date	2/11/2025
Introduced Date	2/5/2025
Adopted Date	
Agenda Item	24.
CAF#	5-01-27-172-001-213
Purchase Req. #	
Result	

Health and Human Services

COMMITTEE NAME

RESOLUTION EXERCISING THE FOURTH ONE (1)-YEAR OPTION WITH POWERBACK, FORMERLY KNOWN AS RESPIRATORY HEALTH SERVICES, LLC FOR RESPIRATORY THERAPY SERVICES FOR PREAKNESS HEALTHCARE CENTER, PURSUANT TO N.J.S.A. 40A:11-4.1 ET SEQ. AND RFP-20-029

WHEREAS, the County of Passaic (hereafter “County”) is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

WHEREAS, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners for the County of Passaic (hereafter “Board”) is vested with managing the property, finances, and affairs of the County; and

WHEREAS, Preakness Healthcare Center (hereafter “Preakness”) is a New Jersey Department of Health licensed 406-bed skilled nursing facility that is owned and operated by the Board; and

WHEREAS, N.J.S.A. 40A:11-4.1 et seq. authorizes the County to utilize competitive contracting in lieu of public bidding for procurement of specialized goods and services, the price of which exceeds the bid threshold; and

WHEREAS, N.J.S.A. 40A:11-4.1(h) specifically authorizes the County to utilize competitive contracting to procure services related to the performance of patient care services by contracted medical staff at county long-term care facilities, under which this program falls; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4.3, on September 13, 2005, the Board approved Resolution No. R-2005-480, which authorizes competitive contracting to identify a provider of respiratory therapy services; and

WHEREAS, on December 15, 2020, the Purchasing Agent unsealed responses to Respiratory Therapy Services for Preakness Healthcare Center, RFP-20-029 (hereafter “RFP-20-029”); and

WHEREAS, on February 23, 2021, the Board approved Resolution R-2021-0168, authorizing a one (1)-year agreement with Respiratory Health Services, LLC beginning March 1, 2021 through February 28, 2022, for an annual amount not to exceed nine hundred fifty thousand (\$950,000.00) and 00/00 dollars, with the County retaining four (4) one (1)-year options to renew the agreement; and

WHEREAS, on December 28, 2021, the Board passed Resolution R-2021-1209, exercising the first one (1)-year option with Respiratory Health Services, LLC, in an amount not to exceed nine hundred fifty thousand (\$950,000.00) and 00/100 dollars, for a term beginning March 1, 2022, through February 28, 2023; and

WHEREAS, on December 13, 2022, the Board passed Resolution R-22-1135, exercising the second one (1)-year option with respiratory Health Services, LLC for respiratory therapy services at Preakness Healthcare Center for an amount not to exceed nine hundred fifty thousand (\$950,000.00) and 00/100 dollars, for a term beginning March 1, 2023, through February 29, 2024; and

WHEREAS, on December 13, 2022, the Board further acknowledged a name change from Respiratory Health Services, LLC to Powerback; and

WHEREAS, on December 12, 2023, the Board passed Resolution R-23-1149, exercising the third one (1)-year option with Respiratory Health Services, LLC for respiratory therapy services at Preakness Healthcare Center for an amount not to exceed seven hundred twenty thousand (\$720,000.00) and 00/100 dollars, for a term beginning March 1, 2024, through February 29, 2025; and

WHEREAS, the Executive Director of Preakness is recommending to exercise the fourth one (1)-year option with Powerback, formerly known as Respiratory Health Services, LLC, for a contract period beginning March 1, 2025 through February 28, 2026 for an amount not to exceed eight hundred thousand (\$800,000.00) and 00/100 dollars to provide respiratory therapy services at Preakness Healthcare Center; and

WHEREAS, funds are available in Account No. 5-01-27-172-001-213 or any other account

that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2025 and/or subsequent years' County budget(s); and

WHEREAS, pursuant to N.J.S.A. 52:32-60-1, et seq., vendor executed the Non-Involvement in Prohibited Activities in Russia or Belarus Certification, attached hereto and made part of this Resolution, certifying the vendor is not involved in prohibited activities in Russia and Belarus, and the County confirmed vendor is not identified on the Specially Designated Nationals and Blocked Persons list created by the Office of Foreign Assets Control; and

WHEREAS, this matter was discussed at the February 4, 2025, meeting of the Health and Human Services Committee and is recommended to the Board for approval; and

NOW, THEREFORE, LET IT BE RESOLVED, pursuant to N.J.S.A. 40A:11-4.1, et seq., the Board of County Commissioners of the County of Passaic (hereafter "Board") authorizes the fourth one (1)-year option with Powerback, formerly known as Respiratory Health Services, LLC, to provide respiratory therapy services at Preakness Healthcare Center for the contract term, commencing March 1, 2025 and expiring February 28, 2026 in the amount not to exceed eight hundred thousand (\$800,000.00) and 00/100 dollars; and

LET IT BE FURTHER RESOLVED, that the Clerk to the Board shall print in the official newspaper a brief notice stating the nature, duration, service, and amount of the contract awarded to Powerback, formerly known as respiratory Health Services, LLC, and maintain a copy of this resolution on file and available for public inspection in the Office of the Clerk to the Board.

LET IT BE FURTHER RESOLVED, that the Clerk to the Board, County Counsel, Purchasing Agent, Executive Director of Preakness, and the Director of the Board are authorized to take any action necessary to carry out the purpose of this Resolution.

JDP

February 11, 2025