



Procurement

Sole Source Request Form

Sole Source Bidsync # 060-C021201-DL-SS

SECTION II – DEPARTMENT INFORMATION (Complete in its entirety)

Department: Orange County Crime Laboratory/OCSD		Date: 05/27/2021	
Vendor Name: Life Technologies Corporation		Sole Source BidSync Number: 060-C021201-DL-SS	
Is the above named vendor a retired employee of the County of Orange? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes", review and Approval is required from CEO Human Resource Services prior to contract execution.			
Contract Term (Dates): 11/01/2018-10/31/2022	Is Agreement Grant Funded? Funding Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Percent Funded:	Proprietary? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Contract Amount? \$60,275.78	Is this renewable? If yes, how many years? Yes, one (1) additional one (1) year term		
Type of Request: <input type="checkbox"/> New <input type="checkbox"/> Multi-Year <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Amendment <input type="checkbox"/> Increase			
Renewal Year: 11/6/21-10/31/22	Did vendor provide a sole source affidavit? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please attach		
Board Date: TBD	ASR Number: TBD	If not scheduled to go to the Board explain why?	
Does Contract include Non-Standard Language? If yes, explain in detail. No			
Was Contract Approved by Risk Mgmt.? Yes		Was Contract Approved by County Counsel? Yes	
Were any exceptions taken? If yes, explain in detail. Exceptions were taken to the Indemnification and Limitation of Liability			
<input checked="" type="checkbox"/> DPA certifies that they have read and verified that the information is true and satisfies the sole source requirements listed in the County Contract Policy Manual.			
<input type="checkbox"/> Solicitation Exemption <i>(For purchases with special circumstances, and/or when it is determined to be in the best interest of the County.)</i>			



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SECTION III – SOLE SOURCE JUSTIFICATION

- 1. Provide a description of the type of contract to be established.** *(For example: is the contract a commodity, service, human service, public works, or other – please explain.) Attach additional sheet if necessary.*

This contract is for the service and maintenance of the OC Crime Lab's 3500 Genetic Analyzers, 7500 Real Time PCR (RT-PCR) instruments, and MPS instruments (Ion Chef and Ion S5).

- 2. Provide a detailed description of services/commodities and how they will be used within the department. If this is an existing sole source, please provide some history of its origination, Board approvals, etc.** *(This information may be obtained from the scope of work prepared by the County and the vendor's proposal that provides a detailed description of the services/supplies.) Attach additional sheet if necessary.*

The maintenance contract consists of replacing parts that are subject to wear and tear and making necessary adjustments and tuning that prevent the instruments from being inoperable. The maintenance also includes annual calibrations that are required by the FBI Quality Assurance Standards (FBI-QAS) and laboratory accreditation. Having a maintenance contract in place also ensures that the laboratory receives a 24-hour response by a service technician when there is a problem which prevents major interruptions to DNA processing. This is an existing sole source contract, and have had a contract for maintenance with this vendor since 2009.

- 3. Explain why the recommended vendor is the only one capable of providing the required services and/or commodities.** *How did you determine this to be a sole source and what specific steps did you take? Please list all sources that have been contacted and explain in detail why they cannot fulfill the County's requirements. Include vendor affidavit and/or other documentation which supports your sole source. (Responses will include strong programmatic and technological information that supports the claim that there is only one vendor that can provide the services and/or commodities. Your response will include information pertaining to any research that was conducted to establish that the vendor is a sole source, include information pertaining to discussions with other potential suppliers and why they were no longer being considered by the County.) Attach additional sheet if necessary.*

Life Technologies Corporation is the only vendor capable of performing maintenance and calibration of these instruments using Field Service Engineers (FSE) that have obtained factory certification to work on the instrumentation. They are also the only manufacturer and supplier of the parts for these instruments, and many critical parts can only be obtained through an FSE supplied by this vendor (they are unavailable for purchase separately). The vendor has provided a sole source letter indicating that they are the only ones able to provide the necessary services by a certified FSE.



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4. How does recommended vendor's prices or fees compare to the general market?**Attach quotes for comparable services or supplies. Attach additional sheet if necessary.**

Life Technologies Corporation is the proprietary and sole manufacturer and distributor of the real time PCR instruments, Genetic Analyzers and MPS instruments used in forensic DNA testing at the OC Crime Laboratory. Life Technologies Corporation is the only vendor that offers warranty service and the only vendor with trained service engineers who can perform the specialized maintenance for these unique forensic instruments that they manufacture, as well as the only vendor that can supply many of the replacement parts. Our DNA methods and procedures are based on the use of these instruments and our DNA staff has received extensive training in their maintenance and operation. The Crime Lab has been accredited as a Crime Lab based on this equipment. There are no other general market prices available as there are no other authorized service agents and supplier of replacement parts.

5. If the recommended vendor was not available, how would the County accomplish this particular task?**Attach additional sheet if necessary.**

If maintenance and parts were not provided by Life Technologies, then there would be no other options to fix these instruments if they broke down and ceased working properly. We would have to purchase new instruments from Life Technologies as they are the only manufacturer. Replacing the instruments would cause a significant disruption in DNA analysis services provided to the law enforcement agencies in the county, as well as cost a significant amount of money to replace. The new instruments would need to be validated and the maintenance contracts for them would be the same as what we are requesting now.

6. Please provide vendor history – name change, litigation, judgments, aka, etc. for the last 7 years.

This vendor has been doing business as Life Technologies for some time. It previously did business as Applied BioSystems and is currently owned by ThermoFisher.

Through the normal County of Orange vetting process, LifeTechnologies Corporation had no name changes and no judgments, liens or litigation on public record.

7. If vendor is a retired, former employee, has the vendor previously been rehired as a contractor within the last**three years?**☐ Yes ☒ No

If yes, provide explanation/support for hiring the retired, former employee as a vendor and provide contract dates, scope of work, and total amounts paid under each contract.

8. Explain (in detail) why a request for Solicitation Exemption is needed. (Only applicable for Solicitation Exemption)**Attach additional sheet if necessary.**



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SECTION IV – AUTHOR/REQUESTOR

Signature: Heather Pevney <small>Digitally signed by Heather Pevney DN: cn=Heather Pevney, o=OCCL, email=hep@occl.org, c=US Date: 2021.05.27 13:44:49 -0700</small>	Print Name: Heather Pevney	Date: 05/27/2021
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SECTION V – CEO Human Resource Services APPROVAL (Review and approval is required when vendor is a Retired, Former Employee.)

Signature:	Print Name:	Date:
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SECTION VI – DEPUTY PURCHASING AGENT CONCURRENCE

Signature: <i>Frederick Lyle Rossow</i>	Print Name: Frederick Lyle Rossow	Date: 7/19/2021
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SECTION VII – DEPARTMENT HEAD APPROVAL

Signature: <i>Bruce Houlihan</i>	Print Name: Bruce Houlihan	Date: 5/27/21
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SECTION VIII – COUNTY PROCUREMENT OFFICE

Prior to execution of a contract, the County Procurement Officer or designee shall approve All Sole Source requests for Commodities that exceed \$250,000, Capitol Assets and services exceeding \$75,000, and All other Sole Source requests that require Board approval despite the amount. Approvals are obtained electronically through the County's online bidding system.

SOLICITATION EXEMPTION – CEO USE ONLY:

Board of Supervisor Notification Date:			
Comments:			
CPO: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	CFO: <input type="checkbox"/> Approved <input type="checkbox"/> Denied		
CPO Authorized Signature:	Date:	CFO Authorized Signature:	Date:

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Release Bid Workflow

Name: Olivia Prudencio
Phone: 714-834-6687
Email: oprudencio@ocsd.org
Status: Submitter Jul 22, 2021 9:53:21 AM PDT

Bid Information

Bid Number:[060-C021201-DL-SS](#)**Bid Title:**

Life Technologies Corporation

Status

Status:
Approved[View Workflow History](#)Olivia Prudencio
SubmitterJeff M. Miller
(for CPO SS Routing (Group))
Approved

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