



County Executive Office

Memorandum

June 17, 2019

To: Clerk of the Board of Supervisors
From: Frank Kim, County Executive Officer
Subject: Exception to Rule 21

5686

RECEIVED
JUN 25 11 31 AM '19
CLERK OF THE BOARD

The County Executive Office is requesting a Supplemental Agenda Staff Report for the June 25, 2011, Board Hearing.

Agency: Sheriff-Coroner
Subject: Renewal Amendment Number Four to Waters Technologies Corporation Contract
Districts: All Districts

Reason for supplemental: This Agenda Staff Report must be heard on June 25, 2019, as the current contract is in effect until July 14, 2019, and moving to a later Board date would result in a retroactive approval request. This Agenda Staff Report and attachments were finalized after the filing deadline to the Clerk of the Board.

Concur:

Chairwoman Lisa A. Bartlett, Supervisor, Fifth District

cc: Board of Supervisors
County Executive Office
County Counsel



**SUPPLEMENTAL AGENDA ITEM
 AGENDA STAFF REPORT**

MEETING DATE: 6/25/19
LEGAL ENTITY TAKING ACTION: Board of Supervisors
BOARD OF SUPERVISORS DISTRICT(S): All Districts
SUBMITTING AGENCY/DEPARTMENT: Sheriff-Coroner
DEPARTMENT HEAD REVIEW: *[Signature]*
Department Head Signature
DEPARTMENT CONTACT PERSON(S): Jeff Hallock (714) 647-1804
 Bruce Houlihan (714) 834-63280

RECEIVED
 CLERK OF THE BOARD
 2019 JUN 20 PM 3:09
 COUNTY OF ORANGE

SUBJECT: Renewal Amendment Number Four to Waters Technologies Corporation Contract

CEO CONCUR

[Signature]
CEO Signature

COUNTY COUNSEL REVIEW

Approve as to Form
Action
[Signature]
County Counsel Signature

CLERK OF THE BOARD

Discussion
 3 Votes Board Majority

Budgeted: N/A

Current Year Cost: N/A

Annual Cost:
 FY 2019-20 \$265,959
 FY 2020-21 \$9,041

Staffing Impact: No

of Positions: N/A

Sole Source: Yes

Current Fiscal Year Revenue: N/A

Funding Source: State: 100% (Proposition 172)

County Audit in last 3 years N/A

Prior Board Action: 6/26/2018 #35, 6/6/2017 #28, 6/28/2016 #68, 7/14/2015 #6

RECOMMENDED ACTION(S):

Authorize the County Procurement Officer or authorized Deputy to execute Amendment Number Four to renew the sole source Waters Technologies Corporation contract for the service, preventative maintenance and purchase of consumables for the Orange County Crime Lab's liquid chromatograph mass spectrometer instruments, for the period of July 14, 2019 through July 13, 2020, in an amount not to exceed \$275,000, for a revised cumulative contract total amount not to exceed \$1,165,000.

SUMMARY:

Approval of Amendment Number Four to Waters Technologies Corporation sole source contract will allow the Sheriff-Coroner Department to continue to provide for the service, preventative maintenance and purchase of consumables for the Orange County Crime Lab's liquid chromatograph mass spectrometer instruments to conduct toxicological analysis on over 12,000 forensic case work samples per year for driving under the influence of drug arrests, drug-facilitated sexual assault cases and death investigations.

BACKGROUND INFORMATION:

The Sheriff-Coroner Department (Sheriff) requires service, preventative maintenance and purchase of consumables for the Orange County (OC) Crime Lab's liquid chromatograph mass spectrometer instruments to analyze forensic toxicology samples for benzodiazepines, hypnotic sedatives, chemicals associated with marijuana use, and pain management and opioid therapies. These instruments are used to analyze over 12,000 case samples annually for driving under the influence of drug arrests, drug-facilitated sexual assault cases and death investigations.

The instrumentation is the only technology available to the OC Crime Lab to conduct routine identification and blood and tissue drug concentration determination analysis for three of the most commonly abused drug classifications in the County; compounds found in marijuana, opioids and benzodiazepines. The OC Crime Lab has seen a 40 percent increase in case submissions over the last year and thus increased the use of this instrumentation. Only supplies for liquid chromatograph mass spectrometry manufactured by Waters Technologies Corporation can be utilized on these instruments, as the manufacturer is the only distributor of Waters Technologies Corporation supplies in the United States. Therefore, a sole source contract is required. The proposed contract is a sole source contract, and a completed Sole Source Request Form is attached to this Agenda Staff Report (ASR) (Attachment C).

The following table details the recent contract history with Waters Technologies Corporation for the service, preventative maintenance and purchase of consumables for the OC Crime Lab's liquid chromatograph mass spectrometer instruments.

Board of Supervisors (Board) Approved	Amendment Number or Contract	Contract Term	Contract Amount	Comments
7/14/15		7/14/15 - 7/13/16	\$195,000	New contract
6/28/17	1	7/14/16 - 7/13/17	\$195,000	Renewed contract
6/6/17	2	7/14/17 - 7/13/18	\$250,000	Renewed contract
6/28/18	3	7/14/18 - 7/13/19	\$250,000	Renewed contract

The amount for Amendment Number Two was increased by \$55,000 from the previous year due to an increase preventative maintenance services, as there was a 27 percent increase in the number of exams and methods on the instruments.

Sheriff requests Board approval of Amendment Number Four to renew the current contract, for the period of July 14, 2019 through July 13, 2020, in an amount not to exceed \$275,000, as noted in the Recommended Action. This proposed renewal contract includes an increase of \$25,000 as Sheriff is anticipating the additional purchase of one more machine, which will require maintenance. Contractor performance has been confirmed as at least satisfactory. The Department has verified that there are no concerns that must be addressed with respect to contractor's ownership/name, litigation status or conflicts with County interests. This contract does not currently include subcontractors or pass through to other providers. See Attachment D for the Contract Summary Form. A Supplemental ASR is submitted for Board approval, as the signed amendment was not received in time to file for previous Board meetings and the proposed contract renewal will begin on July 14, 2019.

FINANCIAL IMPACT:

Appropriations for this contract will be included in the Sheriff-Coroner's FY 2019-20 Budget, and will be included in the budgeting process for future fiscal years. The contract contains language allowing the Sheriff-Coroner Department to terminate the contract without penalty with cause or after 30 days of written notice without cause in the event that funding is reduced and/or not available to continue funding the contract.

STAFFING IMPACT:

N/A

ATTACHMENT(S):

Attachment A - Amendment Number Four to Contract MA-060-14011934

Attachment B - Redline Version of Previous Amendment

Attachment C - Sole Source Request Form

Attachment D - Contract Summary Form