

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Lona Beach, CA 90802-4664

RESOLUTION NO. RES-18-0131

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH HOLOGIC, INC., WITHOUT ADVERTISING FOR BIDS, FOR THE PURCHASE OF MOLECULAR DIAGNOSTIC TEST KITS FOR A PERIOD OF ONE YEAR, WITH THE OPTION TO RENEW FOR TWO ADDITIONAL YEARS, IN AN ANNUAL AMOUNT NOT TO EXCEED \$250,000

WHEREAS, the City's Department of Health and Human Services performs approximately 18,500 chlamydia tests, 15,000 gonorrhea tests and 200 DNA mycobacteria identification tests each year; and

WHEREAS, Hologic, Inc. is the only company that has FDA approval on most of the specimen collection sites for testing for chlamydia and gonorrhea; and

WHEREAS, Hologic, Inc. is the only company that produces molecular DNA probe test for the identification of mycobacteria; and

WHEREAS, the technology used by Hologic, Inc. for the chlamydia and gonorrhea testing methodology is proprietary and not available from another manufacturer; and

WHEREAS, as a result, no useful purpose would be served by advertising for bids for furnishing and delivering these testing kits and to do so would constitute an idle and useless act and an unnecessary expenditure of public funds because Hologic, Inc. is the only corporation, firm or individual that could or would bid for the furnishing of these testing kits to the City;

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1 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
2 follows:

3 Section 1. The City Manager is hereby authorized to enter a contract
4 with Hologic, Inc. for the purchase of testing kits for the Department of Health and Human
5 Services as may be required by the City for a period of one (1) year in an amount not to
6 exceed Two Hundred Fifty Thousand Dollars (\$250,000) annually without advertising for
7 bids. The parties may, by mutual agreement, extend the term for two (2) additional
8 years. If the sole source status of Hologic, Inc. changes, City shall publicly bid instead of
9 extending the contract.

10 Section 2. This resolution shall take effect immediately upon its adoption
11 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

12 I hereby certify that the foregoing resolution was adopted by the City
13 Council of the City of Long Beach at its meeting of September 4, 2018
14 by the following vote:

15
16 Ayes: Councilmembers: Gonzalez, Pearce, Price,
17 Supernaw, Mungo, Andrews,
18 Uranga, Austin, Richardson.

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20 Noes: Councilmembers: None.

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22 Absent: Councilmembers: None.

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27 _____
28 City Clerk