



Legislation Text

File #: 20-0984, **Version:** 1

Recommendation to adopt resolution authorizing City Manager, or designee, to execute a contract, and any necessary documents including amendments, with Agilent Technologies, Inc., of Santa Clara, CA, for furnishing and delivering a gas chromatography/mass spectrometry instrument and accompanying equipment, hardware, and software, for a total contract amount not to exceed \$366,636; and

Increase appropriations in the General Fund Group in the Police Department by \$366,636, offset by Department of Treasury Asset Forfeiture Funds received. (Citywide)

City Council approval is requested to enter into a contract with Agilent Technologies, Inc. (Agilent), for the purchase of a gas chromatography/mass spectrometry (GC/MS) instrument and accompanying equipment, hardware, and software.

The Long Beach Police Department (LBPD) performs controlled substance analysis as part of its operations and services provided by the Forensic Science Services Division. A GC/MS instrument is an important piece of forensic crime lab equipment. This equipment is used by LBPD to confirm evidence for the presence of narcotics in forensic drug testing. The GC/MS instrument will assist with possible prosecutions by aiding with evidence provided during case filing. LBPD's current controlled substance lab equipment is operated using procedures that are specific for Agilent instruments and software. LBPD's forensic procedures, methods, manuals, software, and replacement parts are compatible with Agilent equipment. Agilent is the sole equipment manufacturer of the GC/MS instrument. Accordingly, purchasing a GC/MS instrument from a different company would render previously purchased parts and software as well as written procedures and manuals incompatible and unusable.

A competitive procurement process for the purchase of an Agilent GC/MS instrument is not feasible due to the proprietary nature of the equipment and the compatibility with existing LBPD forensic lab equipment. The Forensic Sciences Services Division has been using and has trained with Agilent equipment and software since 1994.

City Charter Section 1801 requires that contracts for City purchases be awarded to the lowest responsible bidder after a competitive bid process but allows for awards without a competitive bid process if accompanied by a Resolution adopted by the City Council.

This matter was reviewed by Deputy City Attorney Sarah E. Green on September 2, 2020, Deputy Finance Director Sandy Tsang-Palmer on September 14, 2020, and by Budget Management Officer Rhutu Amin Gharib on September 17, 2020.

City Council action to adopt a Resolution is requested on October 6, 2020, to expedite the implementation of this equipment.

The total one-time cost of the contract with Agilent Technologies, Inc., will not exceed \$366,636. There are no ongoing maintenance costs with this contract. The requested appropriation increase of \$366,636 in the General Fund Group in the Police Department will be fully offset by Department of Treasury Asset Forfeiture Funds. This purchase complies with the Department of Justice' Guide to Equitable Sharing for State and Local Law Enforcement agencies, which governs the spending of such funds. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

Approve recommendation.

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ROBERT G. LUNA
CHIEF OF POLICE

APPROVED:

THOMAS B. MODICA
CITY MANAGER