

# CITY OF LONG BEACH

# C-10

DEPARTMENT OF HEALTH AND HUMAN SERVICES

2525 GRAND AVENUE • LONG BEACH, CALIFORNIA 90815 • (562) 570-4000 • FAX: (562) 570-4049

April 21, 2009

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Authorize the City Manager, or designee, to execute a First Amendment to Contract No. 31000 with Gen-Probe Sales and Service, Inc., to increase the annual contract amount to purchase diagnostic test kits for an amount not to exceed \$225,000, plus a ten percent contingency for additional test kits if necessary, with the option to extend the contract for two additional years at the discretion of the City Manager. (Citywide)

## DISCUSSION

The City of Long Beach Department of Health and Human Services (Health Department), Public Health Laboratory, has been contracted by the Southern Nevada Health District (SNHD) to perform Chlamydia and Gonorrhea tests for their agency. The Health Department's Public Health Laboratory diagnoses communicable diseases in order to support the treatment of those infected, thereby reducing the spread of these diseases through the general population. The contract with SNHD has increased the number of diagnostic test kits needed by the Public Health Lab by 125 percent over previous purchases.

On November 18, 2008, the City Council approved Contract No. 31000 between the City of Long Beach and Gen-Probe Sales and Service, Inc. to purchase diagnostic test kits for one year in amount not to exceed \$100,000, with the option to extend the contract for two additional years at the City Manager's discretion (Exhibit A). Therefore, in order to meet the diagnostic test kits requested by SNHD, an amendment to Contract No. 31000 to increase the purchase amount per year to \$225,000 is hereby being submitted, plus a ten percent contingency to purchase additional test kits, if needed, and if the funds are available. The requested contract amendment with Gen-Probe is for the purchase of the same test kits, for the same contract term, and is only to increase the contract price.

This matter was reviewed by Deputy City Attorney, Linda Trang, on March 30, 2009 and by Budget and Performance Management Bureau Manager, David Wodynski, on March 31, 2009.

TIMING CONSIDERATIONS

City Council action on this matter is requested on April 21, 2009 to ensure uninterrupted testing of individuals from the Health Department's clinics as well as tests requested from the SNHD.

FISCAL IMPACT

The additional cost for the purchase of these supplies is offset by the revenue produced from the Southern Nevada Health District and other agencies requesting these tests. Sufficient funds are budgeted in the Health Fund (SR 130) in the Department of Health and Human Services (HE). There is no impact to the General Fund associated with this action.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



RONALD R. ARIAS  
DIRECTOR  
HEALTH AND HUMAN SERVICES

APPROVED:

  
\_\_\_\_\_  
PATRICK H. WEST  
CITY MANAGER

Attachments: Exhibit A-- November 18, 2008 City Council Letter and Resolution



# CITY OF LONG BEACH

DEPARTMENT OF HEALTH AND HUMAN SERVICES

EXHIBIT A

~~C-10~~

2525 GRAND AVENUE • LONG BEACH, CALIFORNIA 90815 • (562) 570-4000 • FAX: (562) 570-4049

November 18, 2008

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Adopt the attached Resolution authorizing the City Manager, or designee, to execute a contract with Gen-Probe Sales and Service, Inc., to purchase diagnostic test kits for one year in an amount not to exceed \$100,000, with the option to extend the contract for two additional years at the discretion of the City Manager. (Citywide)

## DISCUSSION

The City of Long Beach Department of Health and Human Services (Health Department), Public Health Laboratory performs approximately 5,500 Chlamydia tests, 3,500 Gonorrhea tests and 300 DNA mycobacteria identification tests each year for clients in its Sexually Transmitted Disease (STD) Clinic, and for contract outside agencies. These tests are required for the operation of the Health Department's STD Clinic. The Health Department's Public Health Laboratory diagnoses communicable diseases in order to support the treatment of those infected, thereby reducing the spread of these diseases through the general population. In conjunction with the preventive programs conducted through the Health Department's STD clinic, immediate testing and proper diagnosis is critical to the protection of Long Beach citizens. Gen-Probe is the only company that produces a molecular DNA probe test for the identification of mycobacteria. Because the technology used by Gen-Probe for the Chlamydia and Gonorrhea testing methodology is proprietary, and not available from another manufacturer, the attached resolution is necessary to authorize the City Manager to execute a contract without advertising for bids.

This matter was reviewed by Deputy City Attorney, Linda Trang, on October 29, 2008 and by Budget Management Officer, Victoria Bell, on October 30, 2008.

## TIMING CONSIDERATIONS

City Council action on this matter is requested on November 18, 2008 to ensure uninterrupted testing of individuals from the Health Department's clinics as well as tests requested from outside agencies.

FISCAL IMPACT

The cost for the purchase of these supplies is offset by the revenue produced through these programs and by outside agencies requesting these tests. Sufficient funds are budgeted in the Health Fund (SR 130) in the Department of Health and Human Services (HE). There is no impact to the General Fund associated with this action.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



RONALD R. ARIAS  
DIRECTOR  
HEALTH AND HUMAN SERVICES

APPROVED:

  
\_\_\_\_\_  
PATRICK H. WEST  
CITY MANAGER

Attachment

RESOLUTION NO. RES-08-0146

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH GEN-PROBE SALES & SERVICE, INC., WITHOUT ADVERTISING FOR BIDS, FOR THE PURCHASE OF DIAGNOSTIC TEST KITS FOR ONE YEAR IN AN AMOUNT NOT TO EXCEED \$100,000 WITH THE OPTION TO EXTEND THE CONTRACT FOR TWO ADDITIONAL YEARS

WHEREAS, the City's Department of Health and Human Services performs approximately 5,500 Chlamydia tests, 3,500 gonorrhea tests and 300 DNA mycobacteria identification tests each year; and

WHEREAS, the technology used by Gen-Probe Sales & Service, Inc. for the Chlamydia and Gonorrhea testing methodology is proprietary and not available from another manufacturer; and

WHEREAS, Gen-Probe Sales & Service, Inc. is the only company that produces molecular DNA probe test for the identification of mycobacteria; 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 Gen-Probe Sales & Service, Inc. is the only corporation, firm or individual that could or would bid for the furnishing of these testing kits to the City;

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

1. The City Manager is hereby authorized to enter a contract with Gen-

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

1 Probe Sales & Service, Inc. for the purchase of testing kits for the Department of Health  
2 and Human Services as may be required by the City for a period of one year in an  
3 amount not to exceed \$100,000 annually without advertising for bids. The parties may,  
4 by mutual agreement, extend the term for two additional periods of one year each. If the  
5 sole source status of Gen-Probe Sales & Service, Inc. changes, City shall publicly bid  
6 instead of extending the contract.

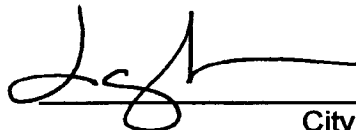
7 2. This resolution shall take effect immediately upon its adoption by the  
8 City Council, and the City Clerk shall certify the vote adopting this resolution.

9 I hereby certify that the foregoing resolution was adopted by the City  
10 Council of the City of Long Beach at its meeting of November 18, 2008 by the  
11 following vote:

12  
13 Ayes: Councilmembers: S. Lowenthal, DeLong, O'Donnell,  
14 Schipske, Andrews, Reyes Uranga,  
15 Gabelich, Lerch.

16  
17 Noes: Councilmembers: None.

18  
19 Absent: Councilmembers: B. Lowenthal.

20  
21  
22  
23 

City Clerk