



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

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

1 RESOLUTION NO.
2

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

12
13 WHEREAS, the City's Department of Health and Human Services performs
14 approximately 5,500 Chlamydia tests, 3,500 gonorrhea tests and 300 DNA mycobacteria
15 identification tests each year; and

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

19 WHEREAS, Gen-Probe Sales & Service, Inc. is the only company that
20 produces molecular DNA probe test for the identification of mycobacteria; and

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

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

- 28 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 _____, 20__ by the
11 following vote:

12
13 Ayes: Councilmembers: _____
14 _____
15 _____
16 _____

17 Noes: Councilmembers: _____
18 _____

19 Absent: Councilmembers: _____
20 _____

21
22
23 _____
City Clerk

24
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27
28