

RESOLUTION NO. RES-

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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-PROBE  
6 SALES & SERVICE, INC., WITHOUT ADVERTISING FOR  
7 BIDS, FOR THE PURCHASE OF DIAGNOSTIC TEST KITS  
8 FOR ONE YEAR IN THE ESTIMATED SUM OF \$150,000  
9 AND WITH OPTIONS TO EXTEND FOR TWO ADDITIONAL  
10 YEARS

11  
12 WHEREAS, City's Department of Health and Human Services performs  
13 approximately 15,200 Chlamydia tests, 12,000 gonorrhea tests and 260 DNA mycobacteria  
14 identification tests each year; and

15 WHEREAS, the technology used by Gen-Probe for the Chlamydia and  
16 gonorrhea testing methodology is proprietary and not available from any other  
17 manufacturer; and

18 WHEREAS, Gen-Probe is the only company that produces a molecular DNA  
19 probe test for the identification of mycobacteria; and

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

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

27 Section 1. That the City Manager be and he is hereby authorized to enter a  
28 contract with Gen-Probe Sales & Service, Inc. for the purchase of testing kits for the

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1 Department of Health and Human Services as may be required by the City for a period of  
2 one year in a sum not to exceed \$150,000 annually without advertising for bids. The  
3 parties may, by mutual agreement, extend the term for two additional periods of one year  
4 each. If the sole source status of Gen-Probe Sales & Service, Inc. changes, City shall  
5 publicly bid instead of extending the agreement.

6 Sec. 2. This Resolution shall take effect immediately on its adoption by the  
7 City Council, and the City Clerk shall certify the vote adopting this Resolution.

8 I hereby certify that the foregoing Resolution was adopted by the City Council  
9 of the City of Long Beach at its meeting on \_\_\_\_\_, 2005, by the following vote:

10 Ayes: Councilmembers: \_\_\_\_\_  
11 \_\_\_\_\_  
12 \_\_\_\_\_  
13 \_\_\_\_\_

14 Noes: Councilmembers: \_\_\_\_\_  
15 \_\_\_\_\_

16 Absent: Councilmembers: \_\_\_\_\_  
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28 \_\_\_\_\_  
City Clerk