

Mayor and Council Communication

DATE: 06/16/20

M&C FILE NUMBER: M&C 20-0419

LOG NAME: 13PLCMS EQUIPMENT ITS ADK

SUBJECT

Authorize an Agreement with Waters Technologies Corporation for the Purchase of a Liquid Chromatography Mass Spectrometer, Using a General Services Administration Cooperative Agreement in the Amount of \$218,224.85, for the Information Technology Solutions Department on Behalf of the Police Department (ALL COUNCIL DISTRICTS)

RECOMMENDATION:

It is recommended that City Council authorize an agreement with Waters Technologies Corporation for the purchase of a Liquid Chromatography Mass Spectrometer, using a General Services Administration cooperative agreement in the amount of \$218,224.85, for the Information Technology Solutions Department on behalf of the Police Department.

DISCUSSION:

In June of 2019, the State of Texas passed a law legalizing hemp and hemp-derived products and changing the definition of marijuana to cannabis that contains more than 0.3% of tetrahydrocannabinol (THC). Due to this change, Tarrant County District Attorneys now require a quantitative analysis report to prosecute drug-related charges, as these cases can no longer be prosecuted on the presence of THC alone.

The Police Department's Forensics Division currently out-sources felony cases to a third party. The division spends on average \$6,000.00 per month outsourcing these cases. The new additional testing requirements will increase this monthly cost as well as further delay the results. At this time, the misdemeanor cases are not being outsourced due to budgetary restrictions. In addition to the testing, third party labs require the department to pay a fee if its personnel are needed to testify in court. By purchasing a Liquid Chromatography Mass Spectrometer (LCMS), the Forensics Division will be able to perform these tests in-house, which will reduce long-term costs and turn-around time. At this time, it is anticipated that no additional staff will be needed.

The cost of the LCMS is quoted at \$136,384.85. An additional cost of \$45,435.00 would purchase a five (5) year maintenance package to ensure the machine is properly serviced and meets regulations. Upon purchase, the Forensics Division would initiate the validation process of the instrument. This would include developing and validating methods, generating and validating standard operating procedures (SOPs), producing mock casework, and completing training and competency testing with staff. The validation process is expected to require about \$30,000.00 in consumables during the development and validation of methods. Once the instrument has been validated, the division would schedule and conduct an onsite assessment from the American National Standards Institute National Accreditation Board (ANAB) in order to receive an extension to their Scope of Accreditation. The cost of the onetime assessment is approximately \$6,405.00. The cost for the consumables and assessment are available in the funds set aside to purchase the LCMS.

PRICE ANALYSIS – The General Services Administration (GSA) Contract No. GS-07F-0559X offers discounted pricing. Staff has reviewed the pricing and determined it to be fair and reasonable.

COOPERATIVE PURCHASE State law provides that a local government purchasing an item under a cooperative purchasing Agreement satisfies any state law requiring that the local government seek competitive bids for the purchase of items. GSA Contracts are competitively bid to increase and simplify the purchasing power of government entities.

SUCCESSOR CONTRACTS: In the event that a Cooperative Agreement is not renewed, Staff would cease making purchases at the end of the last Purchase Agreement coinciding with the valid Cooperative Agreement. If the City Council were to not appropriate funds for a future year, Staff would cease making purchases when the last appropriation expires, regardless of whether the then-current Purchase Agreement has expired. If the cooperative contract is extended, this M&C authorizes the City to purchase similar software and services under the extended contracts. If the cooperative contract is not extended, but a new cooperative contract is executed with Waters Technologies Corporation with substantially similar terms as the previous cooperative contract, this M&C authorizes the City to purchase the services under the new cooperative contract.

M/WBE OFFICE – A MBW/SBE goal is not assigned when purchasing from an approved purchasing cooperative or public entity.

ADMINISTRATIVE CHANGE ORDER - An administrative change order or increase may be made by the City Manager for an amount allowed by relevant law and Fort Worth City Code and does not require specific City Council approval as long as sufficient funds have been appropriated.

AGREEMENT TERM - Upon City Council's approval, this Agreement shall be effective upon execution.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the Treasury Asset Forfeiture Capital (Treasury Asset Forf Cap) and State Asset Forfeiture Capital Funds PD - Liquid Chromatography project to support the approval of the

above recommendation and authorization of the agreement. Prior to any expenditure being incurred, the Information Technology Solutions Department has the responsibility to validate the availability of funds.

Submitted for City Manager's Office by: Jay Chapa 5804

Originating Business Unit Head: Reginal Zeno 8517

Additional Information Contact: Cynthia Garcia 8525
Ashley Kadva 2047