



## Legislation Details (With Text)

**File #:** 0844-2022      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 3/15/2022      **In control:** Public Safety Committee

**On agenda:** 4/4/2022      **Final action:** 4/6/2022

**Title:** To authorize and direct the Finance and Management Director, on behalf of the Department of Public Safety, to enter into contract with Promega Corp. for the purchase of a MaxPrep Liquid Handler which includes validation, associated parts, warranty, and freight for the Division of Police Crime Lab; to waive the competitive bidding provisions of City Code; to authorize a transfer within the General Government Grant Fund; to authorize the expenditure of \$99,901.00 from the General Government Grant Fund; and to declare an emergency. (\$99,901.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Promega 2022 0844-2022, 2. BidWaiverForm

Date	Ver.	Action By	Action	Result
4/6/2022	1	CITY CLERK	Attest	
4/5/2022	1	MAYOR	Signed	
4/4/2022	1	COUNCIL PRESIDENT	Signed	
4/4/2022	1	Columbus City Council	Approved	Pass

The City of Columbus Department of Public Safety, Division of Police has a need to purchase a MaxPrep Liquid Handler which includes validation, associated parts, warranty, and freight. The equipment will be validated and used to increase the efficiency of the DNA extraction process and sample prep for the previously purchased Promega Maxwell extraction robots. The Division of Police Crime Lab was awarded the FY20 Capacity Enhancement for Backlog Reduction Program from the National Institute of Justice for the specific purchases of DNA equipment and software.

**Bid Information:** Promega Corp. is the sole manufacturer and distributor of the following products:

- 1) Maxprep Liquid Handler, RCS 48 Carriers with UV light
- 2) Maxprep 3-position Reagent Tube Holder

There is no other source for these products in the US than to purchase directly from Promega Corp. Therefore, since this instrument is manufactured by the same company that manufactures the current extraction instruments in the DNA section and allows for a seamless integration of the new piece of equipment to the existing instruments the Division is requesting a bid waiver according to chapter 329 of the City Code.

This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery certified search.

**Contract Compliance** #CC007752 expires on 10/11/2023.

**Emergency Designation:** Emergency legislation is requested to expedite the process of this purchase in order to meet the deadlines of the grant award and to supply the crime lab with the necessary tools for DNA extraction.

**FISCAL IMPACT:** The purchase of a MaxPrep Liquid Handler which includes validation, associated parts, warranty, and freight will be made using grant funds from the FY20 Capacity Enhancement for Backlog Reduction Program Grant.

To authorize and direct the Finance and Management Director, on behalf of the Department of Public Safety, to enter into contract with Promega Corp. for the purchase of a MaxPrep Liquid Handler which includes validation, associated parts, warranty, and freight for the Division of Police Crime Lab; to waive the competitive bidding provisions of City Code; to authorize a transfer within the General Government Grant Fund; to authorize the expenditure of \$99,901.00 from the General Government Grant Fund; and to declare an emergency. (\$99,901.00)

**WHEREAS,** the Division of Police Crime Lab was awarded the FY20 Capacity Enhancement for Backlog Reduction Program from the National Institute of Justice for the specific purchases of DNA equipment and software; and

**WHEREAS,** the equipment will be validated and used to increase the efficiency of the DNA extraction process and sample prep for the previously purchased Promega Maxwell extraction robots; and

**WHEREAS,** Promega Corp. is the sole manufacturer and distributor of Maxprep Liquid Handler, RCS 48 Carriers with UV light and Maxprep 3-position Reagent Tube Holderducts, and there is no other source for these products in the US than to purchase directly from Promega Corp. This will allow for seamless integration with existing equipment, therefore, the Division of Police is requesting a waiver so that they may purchase the specified items from the grant award and to be in compliance with the grant application and award; and

**WHEREAS,** it is in the City's best interest to waive the competitive bidding provisions of City Code Chapter 329 to enter into this contract; and

**WHEREAS,** it is necessary to transfer funds from 06 to 03 within the General Government Grant Fund to cover the cost of the validation, training, warranty, and freight.

**WHEREAS,** an emergency exists in the usual daily operation of the Public Safety Department, Division of Police, in that it is immediately necessary authorize the Finance and Management Director, on behalf of the Department of Public Safety, to enter into contract with Promega Corp. for the purchase of a DNA instruments for use by the Police Crime Lab, thereby preserving the public peace, property, health, safety and welfare; **now, therefore:**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Director of Finance and Management, on behalf of the Department of Public Safety, be and is hereby authorized and directed to enter into contract with Promega Corp., for the purchase of a MaxPrep Liquid Handler which includes validation, associated parts, warranty, and freight for the Division of Police.

**SECTION 2.** That the transfer of \$25,143.00, or so much thereof as may be needed, is hereby authorized within Fund 2220, General Government Grant Fund per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the expenditure of \$99,901.00, or so much thereof as may be needed, be and the same is hereby authorized in from Fund 2220 in object class 06 Capital Outlay and 03 Contractual Services per the accounting codes in the attachment to this ordinance.

**SECTION 4.** That this Council finds that it is in the City's best interest to waive the competitive bidding provisions of Chapter 329 of the Columbus City Code to enter into the contract.

**SECTION 5.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance and to make any accounting changes necessary to

ensure that this contract is properly accounted for and recorded accurately on the City's financial records.

**SECTION 6.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 7.** That at the end of the grant period, any repayment of unencumbered balances required by the grantor is hereby authorized and any unused City match monies may be transferred back to the City fund from which they originated in accordance with all applicable grant agreements.

**SECTION 8.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.