



## Legislation Text

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**File #:** 1009-2019, **Version:** 1

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The City of Columbus Department of Public Safety, Division of Police has a need to purchase two (2) Maxwell ® RSC 48 Premier Systems which includes installation, qualification, as well as the premier warranties and the purchase of one (1) Maxwell ® FSC DNA IQ™ Casework Kit. The DNA extraction instruments will be used by the DNA unit to perform DNA extractions on evidentiary samples. The Division of Police Crime Lab was awarded the Forensic DNA Laboratory Efficiency Improvement and Capacity Enhancement (EICE) Program Grant award from the National Institute of Justice for the specific purchases of two Promega Maxwell ® RSC 48 Premier Systems and one Maxwell ® FSC DNA IQ™ Casework Kit.

**Bid Information:** Prior to the grant application was submitted the Division of Police Crime Lab performed an internal laboratory study to determine the performance of comparable DNA extraction instruments. The study compared two other instruments along with the Maxwell ® RSC 48 Premier System and the Maxwell System consistently produced higher DNA quantification values than the other two instruments. With this information the Crime Lab has determined that they would be able to increase their capacity but would also enhance the quality of the DNA Profiles. This research thus provided the Crime Lab with sufficient information and data to apply for the grant and thus was awarded the grant for the purchase of this machine due to the fact that it matched all the criteria for improving efficiency and the capacity in which the lab would operate. The award was made based on the items requested in their application and any deviations from their approved award would require the submission of a Grant Adjustment Notice to the National Institute of Justice (NIJ), with uncertain approval. Promega Corp. is the only vendor that can provide Maxwell ® RSC 48 Premier System and the Maxwell ® FSC DNA IQ™ DNA as they are the only manufacturer of this specific product. Therefore, the Division of Police is requesting a Bid Waiver on this purchase so that they may purchase the specified items and to be in compliance with the grant application and award.

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 12/20/2019.

**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 two (2) Maxwell ® RSC 48 Premier Systems which includes installation, qualification, as well as the premier warranties and the purchase of one (1) Maxwell ® FSC DNA IQ™ Casework Kit in the amount of \$109,165.35 will be made using grant funds from the Forensic DNA Laboratory Efficiency Improvement and Capacity Enhancement (EICE) Program Grant.

To authorize and direct the Finance and Management Director to enter into contract with Promega Corp. for the purchase of two (2) Maxwell RSC 48 Premier Systems which includes installation, qualification, as well as the premier warranties and the purchase of one (1) Maxwell FSC DNA IQ Casework Kit for the Division of Police Crime Lab; to waive the competitive bidding provisions of the Columbus City Code Chapter 329; to authorize the expenditure of \$109,165.35 from the General Government Grant Funds; and to declare an emergency. (\$109,165.35)

**WHEREAS**, the Division of Police was awarded Forensic DNA Laboratory Efficiency Improvement and Capacity Enhancement (EICE) Program Grant from the National Institute of Justice for the specific purchases of two Promega Maxwell ® RSC 48 Premier Systems and one Maxwell ® FSC DNA IQ™ Casework Kit for DNA extraction, quantification, and amplification of samples thus providing laboratory efficiency improvement; and

**WHEREAS**, this equipment will aid in the extraction of DNA from evidentiary samples; and

**WHEREAS**, Promega Corp. is the only vendor that can provide the Maxwell ® RSC 48 Premier Systems and the Maxwell ® FSC DNA IQ™ Casework Kit that was authorized for purchase via the Forensic DNA Laboratory Efficiency Improvement and Capacity Enhancement (EICE) Program Grant from the National Institute of Justice; and

**WHEREAS**, the Division of Police has determined that it is in the City's best interest to waive the competitive bidding procedures of Columbus City Code, Chapter 329 to allow the purchase of the Maxwell ® RSC 48 Premier Systems and the Maxwell ® FSC DNA IQ™ Casework Kit from Promega Corp. as Maxwell System will increase the efficiency and capacity of the testings as well as enhance the quality of the DNA Profiles in comparison to the other instruments reviewed;and

**WHEREAS**, an emergency exists in the usual daily operation of the Public Safety Department, Division of Police, in that it is immediately necessary to purchase 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 be and is hereby authorized and directed to enter into contract with Promega Corp., for the purchase of two (2) Maxwell ® RSC 48 Premier Systems which includes installation, qualification, as well as the premier warranties and the purchase of one (1) Maxwell ® FSC DNA IQ™ Casework Kit for the Division of Police.

**SECTION 2.** That the expenditure of \$109,165.35, or so much thereof as may be needed, be and the same is hereby authorized in object class 06 Capital Outlay per the accounting codes in the attachment to this ordinance:

**SECTION 3.** That this Council finds it is in the City's best interest to waive the competitive bidding requirements of City Code to allow the aforementioned purchase from Promega Corp.

**SECTION 4.** 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 5.** 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 6.** 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 7.** 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.

