

#54
11/15/22

(O-2023-65)

ORDINANCE NUMBER O- 21568 (NEW SERIES)

DATE OF FINAL PASSAGE NOV 28 2022

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING EXECUTION OF AN
AGREEMENT WITH LIFE TECHNOLOGIES CORPORATION
FOR FORENSIC DNA TESTING MATERIALS AND POST-
WARRANTY INSTRUMENT MAINTENANCE.

WHEREAS, performing DNA analysis on samples associated with police investigations plays a critical role in the investigation of crimes; and

WHEREAS, the San Diego Police Department (SDPD) Crime Laboratory receives over 2,000 requests of analysis and tests over 10,000 items for DNA per year; and

WHEREAS, in compliance with international requirements and national standards for DNA testing laboratories, the DNA testing process is thoroughly validated with documented operating and interpretation procedures to meet the rigorous requirements of the accrediting body; and

WHEREAS, SDPD Crime Laboratory's current methodologies in the DNA testing process were thoroughly validated and implemented in 2015, and in compliance with these requirements, the SDPD Crime Laboratory relies on the instrumentation, testing kits, and consumables obtained from Life Technologies Corporation; and

WHEREAS, Life Technologies Corporation's materials and post-warranty instrument maintenance is critical in ensuring that the SDPD Crime Laboratory meets the requirements to perform DNA analysis on evidence and reference samples associated with criminal investigations; and

WHEREAS, as provided for in Section 22.3016 of the San Diego Municipal Code, the City's Purchasing Agent certified in writing that the agreement is exempt from competitive

bidding, with Life Technologies Corporation as a sole source provider of the necessary goods and services; and

WHEREAS, the City now desires to enter into an agreement with Life Technologies Corporation to provide forensic DNA testing materials and post-warranty instrument maintenance for five years in an amount not-to-exceed \$2,795,000, under the terms and conditions set forth in the agreement; and

WHEREAS, under San Diego City Charter section 99, no contract, agreement, or obligation extending for a period of more than five years may be authorized except by ordinance approved by a two-thirds' majority vote of the Council; and

WHEREAS, the Office of the City Attorney has drafted this ordinance based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the Mayor, or his designee, is authorized to execute, for and on behalf of the City, an agreement between the City of San Diego and Life Technologies Corporation, to provide forensic DNA testing materials and post-warranty maintenance for a term of five (5) years, for an amount not-to-exceed \$2,795,000, pursuant to the terms and conditions contained in the Agreement on file with the City Clerk as Document No. OO-**21568**.

Section 2. That the Chief Financial Officer is authorized to appropriate and expend an amount not-to-exceed \$2,795,000 from the General Fund (100000), Police Department (1914) over the five-year term of the Agreement for forensic DNA testing materials and post-warranty maintenance, contingent upon the adoption of the of the Annual Appropriation Ordinance for the

applicable fiscal year, and contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Section 3. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Jill S. Cristich
Jill S. Cristich
Deputy City Attorney

JSC:hm
October 4, 2022
Or.Dept: PSE
Doc. No.: 3107372_2

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of NOV 15 2022.

ELIZABETH S. MALAND
City Clerk

By [Signature]
Deputy City Clerk

Approved: 11/21/22
(date)

[Signature]
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

(The date of final passage is November 28, 2022, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature for approval.)

Passed by the Council of The City of San Diego on NOV 15 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 28 2022

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By *Kaynette Medina*, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

NOV 01 2022

, and on NOV 28 2022

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By *Kaynette Medina*, Deputy

Office of the City Clerk, San Diego, California

21568

Ordinance Number O-_____