

ORDINANCE NUMBER O- 21652 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 12 2023

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE FIRST AMENDMENT TO
THE AGREEMENT WITH LABWORKS LLC FOR THE
LABORATORY INFORMATION MANAGEMENT SYSTEM.

WHEREAS, the City of San Diego (City) entered into a five-year agreement with Labworks LLC (Labworks) on April 23, 2018, to implement a new Laboratory Information Management System (LIMS) for the laboratories located within the Environmental Monitoring and Technical Services (EMTS) Division of the Public Utilities Department (PUD). EMTS is composed of eight laboratories which collect, analyze, and report water quality data to state and federal governments for compliance with discharge and drinking water quality regulations, and permits for protection of public and environmental health; and

WHEREAS, EMTS laboratories are certified by the State of California's Environmental Laboratory Accreditation Program (ELAP), which is implementing more stringent requirements for data management; and

WHEREAS, the current LIMS requires replacement to meet the more stringent certification requirements because it does not have necessary data control and documentation features, and City is ceasing maintenance of the Oracle software platform that was used to develop the current system; and

WHEREAS, the Department of Information Technology advised the best option was to seek a commercial, off-the-shelf product that could be maintained offsite with a cloud-based service. A Request for Proposal was completed in 2018 with four companies submitting proposals, and Labworks was selected; and

WHEREAS, City's regulatory requirements are unique because of the Point Loma Wastewater Treatment Plant (PLWTP) 301(h) modified discharge permit and the Pure Water San Diego Program. Due to these complex reporting requirements, Labworks needed to enhance its system to create functionalities and capabilities to meet compliance requirements that were not part of the off-the-shelf product. This caused significant delays due to adding, creating, testing, and revising new modules based on City staff feedback; and

WHEREAS, City staff are working with Labworks to clarify system implementation needs and expectations, including monitoring performance for shorter turnaround times to address system deficiencies. LIMS stores regulatory data for drinking water, wastewater, and recycled water, and it is imperative to complete properly with sufficient testing and implementation to protect public and environmental health and minimize the risk of regulatory non-compliance; and

WHEREAS, the contract with Labworks expired on April 22, 2023, and it is necessary to extend the contract for a period of one year to allow for the LIMS to be functional, and to provide time for testing, troubleshooting, and monitoring system performance after the go-live period; and

WHEREAS, City staff negotiated a First Amendment to the contract that if approved will have a retroactive effective date of April 22, 2023, date to avoid lapses in support of LIMS, that extends the contract for one year, with no additional compensation; and

WHEREAS, under 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 City Council; and

WHEREAS, the Office of the City Attorney 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 First Amendment to the Agreement with Labworks LLC for the Laboratory Information Management System to retroactively extend the contract term by one year under the terms and conditions set forth in the First Amendment to the Agreement, on file in the Office of the City Clerk as Document No. OO- **21652**, is approved.

Section 2. The Mayor, or designee, is authorized to sign and deliver the First Amendment.

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 
Bonny Hsu
Deputy City Attorney

BH:cw
4/18/2023
Or.Dept: Public Utilities
CC No.: N/A
Doc. No.: 3284475

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUN 06 2023

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 6/12/23
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUN 06 2023, 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"/>
Kent Lee	<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 JUN 12 2023.

AUTHENTICATED BY:

(Seal)

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

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Connie Patterson 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

MAY 16 2023, and on JUN 12 2023.

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)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Connie Patterson Deputy

Office of the City Clerk, San Diego, California

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