

RESOLUTION NUMBER R- 315196

DATE OF FINAL PASSAGE NOV 14 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AUTHORIZING EXECUTION OF THE THIRD  
AMENDMENT TO THE CONTRACT WITH BODE  
CELLMARK FORENSICS, INC. DBA BODE TECHNOLOGY  
FOR DNA TESTING OF SEXUAL ASSAULT EVIDENCE  
KITS.

WHEREAS, California Senate Bill 22 (SB 22) passed in October 2019, requiring law enforcement agencies to conduct timelier DNA analysis of sexual assault evidence kits (SAEKs); and

WHEREAS, the goals of SB 22 were to maximize evidentiary value and standardize investigation of sexual assault crime by conducting more timely DNA analysis of SAEKs, and mandate testing timelines for law enforcement agencies and crime laboratories to process the SAEKs or send the kits to another lab for processing; and

WHEREAS, the San Diego Police Department Crime Laboratory's Forensic Biology unit (Crime Lab) had an estimated 1,800 SAEKs, and without additional personnel, it was necessary to test the historical backlog utilizing an outside resource to comply with mandated testing guidelines pursuant to SB 22; and

WHEREAS, in 2020, the Purchasing & Contracting Department issued Request for Proposal (RFP) No. 10089612-20-K, soliciting proposals for DNA testing of SAEKs. Based on the results of the competitive process, Bode Cellmark Forensics, Inc. dba Bode Technology (Bode Technology) was awarded the Contract; and

WHEREAS, in July 2021, the Contract was amended (First Amendment) to include the analysis of post-2020 SAEKs to assist the Crime Lab in complying with the requirements of SB 22, and allowed the use of grand funds administered by the California Department of Justice; and

WHEREAS, in February 2022, the Contract was amended (Second Amendment) to increase the price of post-2020 SAEKs to \$1,975/kit because of the additional testing requested on those kits, and rising labor and supply costs to comply with SB 22; and

WHEREAS, a Third Amendment for an additional \$1,000,000 during the term of the Contract, is necessary for the completion of testing the remaining historical kits and to continue testing post 2020-kits to ensure the City continues to meet the requirements of SB 22; and

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

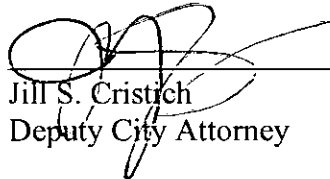
BE IT RESOLVED, by the City Council of the City of San Diego, that the Mayor, or his designee, is authorized to execute, for and on behalf of the City, the Third Amendment to the Contract with Bode Technology for DNA testing of sexual assault evidence kits for an additional \$1,000,000 increasing the not to exceed amount from \$3,000,000 to \$4,000,000 over the five-year term, pursuant to the terms and conditions set forth in the Third Amendment, on file with the City Clerk as Document No. RR **315196**, and

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend an amount not to exceed \$4,000,000 from the State COPS Fund (200722) and Police Department (1914), over the five-year term of the Contract for DNA testing of SAEKs contingent upon the adoption 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.

APPROVED: MARA W. ELLIOTT, City Attorney

By

  
Jill S. Cristich  
Deputy City Attorney

JSC:hm

October 20, 2023

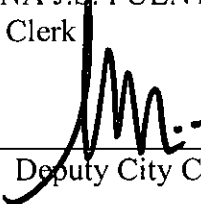
Or.Dept: PSE

Doc. No. 3452597


I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 07 2023.

DIANA J.S. FUENTES  
City Clerk

By

  
Deputy City Clerk

Approved: 11/13/23  
(date)

  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on NOV 07 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 14 2023

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

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

(Seal)

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

By , Deputy

Office of the City Clerk, San Diego, California

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