



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: JANUARY 8, 2019**

FROM: POLICE DEPARTMENT **WARDS: ALL**

SUBJECT: SERVICES AGREEMENT FOR FORENSIC TOXICOLOGY TESTING SERVICES WITH BIO-TOX LABORATORIES IN THE TOTAL AMOUNT OF \$175,000 FOR A TERM ENDING JUNE 30, 2023 TO PROVIDE FORENSIC TOXICOLOGY TESTING SERVICES RELATED TO THE CALIFORNIA HIGHWAY PATROL ARRESTS IN THE CITY OF RIVERSIDE IN ACCORDANCE WITH PURCHASING RESOLUTION 23256, ARTICLE 7, SECTION 702(E).

ISSUE:

Approve the Services Agreement with Bio-Tox Laboratories, Inc. in the total amount of \$175,000 for a term ending June 30, 2023 with Bio-Tox Laboratories, Inc., to provide the California Highway Patrol with forensic toxicology testing services for arrests within the city of Riverside in accordance with Purchasing Resolution 23256, Article 7, Section 702(e).

RECOMMENDATIONS:

That the City Council:

1. Approve the Services Agreement with Bio-Tox Laboratories for forensic toxicology testing services for the California Highway Patrol arrests within the City of Riverside in the total amount of \$175,000, or \$35,000 per fiscal year, for a term ending June 30, 2023 in accordance with Purchasing Resolution 23256, Article 7, Section 702(e); and
2. Authorize the City Manager, or his designee, to execute the Services Agreement for Forensic toxicology testing services with Bio-Tox Laboratories, Inc. for the California Highway Patrol for arrests within the city of Riverside, including making minor and non-substantive changes.

BACKGROUND:

The California Highway Patrol (CHP) conducts traffic enforcement operations within Riverside City limits. Per Government Code Sections 29601 and 29602, Penal Code Sections 1463.14, 1463(c) and 1463(e), and Health and Safety Code Section 11372.5, the cost of the toxicology testing is the responsibility of the city or county in which the arrest took place. The CHP has been using the

Department of Justice Forensic Testing Laboratory and the City of Riverside has been paying for those toxicology service costs.

In May 2018, the County of Riverside issued a Request for Proposal (#SHARC-364) for forensic toxicology testing services on behalf of the Sheriff/Coroner, City of Riverside and City of Corona. Then on July 31, 2018, the Riverside County Board of Supervisors approved a five-year agreement with Bio-Tox Laboratories, Inc. (Bio-Tox) with the term ending June 30, 2023 and an option to renew the agreement for five (5) additional one-year periods.

The Riverside Police Department (RPD) currently has an agreement with Bio-Tox for the provision of forensic toxicology testing services to prosecute criminal cases for suspects under the influence of drugs and alcohol which is separate from the testing conducted by the CHP for arrests made by them in the City of Riverside.

DISCUSSION:

The CHP has contacted the Riverside Police Department and requested that they be allowed to use Bio-Tox Laboratories, Inc. for their toxicology testing needs for arrests made in the City of Riverside because Bio-Tox provides a more efficient turnaround time for test results. Additionally, the CHP uses Bio-Tox for their arrests in the San Geronio and Temecula areas and it would be more efficient for them to also use Bio-Tox for their Riverside arrests.

Bio-Tox Laboratories, Inc. has agreed to extend the same pricing as provided to the County of Riverside in the agreement approved by the Riverside County Board of Supervisors in July 2018 for similar services. The total cost for each year of the agreement is estimated to be \$35,000 and is within the approved budget for this service.

RPD approves of this request and would like to enter into a separate agreement with Bio-Tox Laboratories, Inc. for the CHP toxicology services for arrests made within the City of Riverside pursuant to Purchasing Resolution No. 23256, Article 7, Section 702(e) which provides that competitive procurement shall not be required when cooperative purchasing is available and undertaken or when Services can be obtained through Federal, State and/or other public entity pricing contracts or price agreements.

The Purchasing Services Manager concurs that the recommended action is in compliance with Purchasing Resolution 23256, Section 702(e).

FISCAL IMPACT:

The total fiscal impact is \$175,000 for a five-year term ending June 30, 2023. Sufficient funds for fiscal year 2018/19 and 2019/20, in the amount of \$35,000 per year, are budgeted in the Police Department-Management Services Professional Services Account No. 3105000-421000. Funding for fiscal years 2020/21, 2021/22, and 2022/23 will be included during the budget preparation process for those years.

Prepared by: Sergio G. Diaz, Chief of Police
Certified as to
availability of funds: Edward Enriquez, Interim Chief Financial Officer/City Treasurer
Approved by: Rafael Guzman, Assistant City Manager
Approved as to form: Gary G. Guess, City Attorney

Attachment: Services Agreement with Bio-Tox Laboratories, Inc, Toxicology Services