



# County of Monterey

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Legislation Details (With Board Report)

|                      |   |                      |                                       |
|----------------------|---|----------------------|---------------------------------------|
| <b>File #:</b>       | A 22-637  | <b>Name:</b>         | Agreement with Bruker Scientific, LLC |
| <b>Type:</b>         | BoS Agreement   | <b>Status:</b>       | Health Department - Consent           |
| <b>File created:</b> | 12/14/2022  | <b>In control:</b>   | Board of Supervisors                  |
| <b>On agenda:</b>    | 1/10/2023   | <b>Final action:</b> |                                       |
| <b>Title:</b>        | a. Approve and authorize the Director of Health or Assistant Director of Health to execute a non-standard Agreement between with the County of Monterey and Bruker Scientific, LLC to provide the laboratory with one MALDI Biotyper instrument to identify micro-organisms accurately and rapidly, and three one-year preventive maintenance service agreements, not to exceed the amount of \$320,204 for the term upon execution to July 30, 2026; and<br>b. Approve non-standard risk provisions in the Agreement as recommended by the Director of Health; and<br>c. Approve and authorize the Director of Health or the Assistant Director of Health to sign up to three (3) future amendments to this Agreement where the amendments do not significantly change the scope of work and do not cause an increase of more than ten percent (10%) (\$32,020) of the original contract amount. |                      |                                       |

### Sponsors:

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### Code sections:

**Attachments:** 1. Board Report, 2. Agreement, 3. Addendum No. 1, 4. Exhibit A, 5. Sole Source Request Form, 6. Completed Board Order Item No. 28, 7. Fully Executed Agreement - Bruker Scientific, LLC

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

- a. Approve and authorize the Director of Health or Assistant Director of Health to execute a non-standard Agreement between with the County of Monterey and Bruker Scientific, LLC to provide the laboratory with one MALDI Biotyper instrument to identify micro-organisms accurately and rapidly, and three one-year preventive maintenance service agreements, not to exceed the amount of \$320,204 for the term upon execution to July 30, 2026; and
- b. Approve non-standard risk provisions in the Agreement as recommended by the Director of Health; and
- c. Approve and authorize the Director of Health or the Assistant Director of Health to sign up to three (3) future amendments to this Agreement where the amendments do not significantly change the scope of work and do not cause an increase of more than ten percent (10%) (\$32,020) of the original contract amount.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Director of Health or Assistant Director of Health to execute a non-standard Agreement between with the County of Monterey and Bruker Scientific, LLC to provide the laboratory with one MALDI Biotyper instrument to identify micro-organisms accurately and rapidly, and three one-year preventive maintenance service agreements, not to exceed the amount of \$320,204 for the term upon execution to July 30, 2026; and
- b. Approve non-standard risk provisions in the Agreement as recommended by the Director of Health; and
- c. Approve and authorize the Director of Health or the Assistant Director of Health to sign up to three (3) future amendments to this Agreement where the amendments do not significantly change the scope of work and do not cause an increase of more than ten percent (10%) (\$32,020) of the original contract amount.

#### SUMMARY/DISCUSSION:

The Health Department's Public Health Laboratory (PHL) is responsible for providing testing services to identify microorganisms that cause disease including bacteria, fungi, viruses, and parasites. The PHL is a Laboratory Response Network (LRN) and COVID Network of California laboratory (COVIDNet). The PHL provides testing with associated whole genome sequencing for communicable disease surveillance purposes, surge events, and other public health emergencies. The PHL also serves as a reference laboratory for local hospitals and health care agencies, particularly with respect to identifying *Mycobacterium*, *Coccidioides*, and *Legionella* species.

The PHL seeks approval to purchase a Bruker (Matrix-Assisted Laser Desorption/Ionization) (MALDI) Biotyper instrument to identify *Mycobacterium tuberculosis* and other *Mycobacterium* species. The manufacturer of the current commercial tests used to identify *Mycobacterium* species will stop production in November 2022.

The Bruker MALDI can be used to identify other disease-causing microorganisms, including bioterrorism agents and bacteria that cause foodborne outbreaks significantly faster, with greater accuracy and at lower cost as compared to currently used methods at PHL. This equipment will play a vital role in quickly identifying and preventing disease outbreaks locally.

This work supports the Monterey County Health Department 2018-2022 Strategic Plan Goals: 2. Enhance public health and safety through prevention. 3. Ensure access to culturally and linguistically appropriate, customer-friendly, quality health services; 4. Engage Health Department workforce and improve operational functions to meet current and developing population health needs. It also supports the following one of the ten essential public health services, specially: 2. Investigate, diagnose, and address health problems and hazards affecting the population.

#### OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed and has not approved this Agreement due to risk modifications. Auditor-Controller has reviewed and approved the Agreement as to fiscal provisions. Risk Manager has not approved due to limitations of liability recovery wording in contract.

#### FINANCING:

This agreement is funded 100% by the grant Epidemiology and Laboratory Capacity (ELC), and there are sufficient appropriations in the Health Department's Fiscal Year (FY) 2022-23 Adopted Budget (001-4000-8124-HEA003). Appropriations for the maintenance components in the future FYs will be included in the Requested Budget for the respective year.

#### BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Check the related Board of Supervisors Strategic Initiatives:

##### ☐ Economic Development:

- Through collaboration, strengthen economic development to ensure a diversified and healthy economy.

##### ☐ Administration:

- Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability and transparency.

☒ Health & Human Services:

- Improve health and quality of life through County supported policies, programs, and services; promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

☐ Infrastructure:

- Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.

☐ Public Safety:

- Create a safe environment for people to achieve their potential, leading businesses and communities to thrive and grow by reducing violent crimes as well as crimes in general.

Prepared by: Patricia Velarde, Management Analyst I, 682-5902

Approved by:

Date: \_\_\_\_\_

Elsa Mendoza Jimenez, Director of Health, 755-4526

Attachments:

Board Report

Agreement

Addendum No.1

Exhibit A

Sole Source Request Form