



CITY OF GLENDALE, CALIFORNIA REPORT TO THE CITY COUNCIL

AGENDA ITEM

Report: BJA FY22 Byrne Discretionary Grants Program

1. Motion authorizing acceptance of the BJA 2022 Byrne Discretionary Grants Program funds in the amount of \$700,000 and authorizing the City Manager or designee to execute the necessary agreements, certification, and other documents required to accept the Grant.
2. Resolution to appropriate \$700,000 in BJA 2022 Byrne Discretionary Grants Program funds.
3. Resolution to dispense with competitive bidding and authorize the Deputy Director of Finance – Purchasing to issue a purchase order agreement with West Technology Forensics, Inc. in the amount of \$211,480.
4. Resolution to dispense with competitive bidding and authorize the Deputy Director of Finance – Purchasing to issue purchase order agreements with Life Technologies in the amount of \$2,500,000 and with QIAGEN, Inc. in the amount of \$400,000 over 5 years.

COUNCIL ACTION

Item Type: Action

Approved for August 23, 2022 **calendar**

EXECUTIVE SUMMARY

The Glendale Police Department requests acceptance of \$700,000 in grant funds from the BJA FY22 Byrne Discretionary Grants Program for the grant period of March 15, 2022 to March 31, 2024, to be used for equipment, contract services, laboratory supplies and training for the Verdugo Regional Crime Laboratory (VRCL).

COUNCIL PRIORITIES

N/A

RECOMMENDATION

Accept the BJA FY22 Discretionary Program Grant funds in the amount of \$700,000, authorize the City Manager or designee to execute the necessary agreements, certification, and other documents required to implement the Grant, and adopt a resolution of appropriations in the amount of \$700,000 for equipment, contract services, laboratory supplies, and training. In addition, adopt the attached resolutions to dispense with competitive bidding and authorize the Deputy Director of Finance-Purchasing to issue purchase order agreements with West Technology Forensics, Inc., Life Technologies, and QIAGEN, Inc.

BACKGROUND

In 2009 and 2010, the City of Glendale was awarded a total of \$1.5 million in federal grant funds to establish a regional DNA laboratory through the support of Congressman Adam Schiff. In 2012, the City of Glendale Police Department established the Verdugo Regional Crime Laboratory, which combined existing forensic and digital evidence examination services with the newly formed DNA testing laboratory.

In 2018, following the validation and establishment of DNA testing procedures, the Laboratory sought to establish multi-year purchase orders with its two primary vendors, Life Technologies and QIAGEN, Inc. in the amount of \$1.4 million and \$400,000, respectively. These contracts allow issuance of routine annual purchases of specialized testing equipment, supplies, software, and maintenance services. The Laboratory has encumbered or expended approximately \$1.2 million of the Life Technologies purchase order and approximately \$260,000 of the QIAGEN, Inc. purchase order.

Forensic DNA testing laboratories must adhere to the FBI's Quality Assurance Standards for DNA Testing Laboratories and follow National DNA Index System (NDIS) DNA Data Acceptance Standards for all profiles uploaded into the national DNA database (CODIS). There are only three vendors of STR typing kits that are currently approved by the FBI/CODIS for DNA analysis: one is supported by Life Technologies, the second is supported by Promega, and the third is supported by QIAGEN, Inc. Of the three vendors, Life Technologies and QIAGEN, Inc. are the only providers of approved DNA analysis equipment in the Police Department's Forensic Biology Unit. The Life Technologies DNA testing kits have been designed to perform optimally on current laboratory platforms.

National DNA quality assurance standards require that laboratories validate their entire DNA testing procedure. This includes testing protocols, STR testing kits, supplies equipment and software used in the analysis of casework samples. Any significant changes to the validated procedure must in turn be validated. The QIAGEN, Inc. and Life Technologies testing kits, supplies, equipment and software have been validated by the Laboratory at considerable cost in supplies, time, and personnel resources. The Laboratory standard operating procedures, analyst training program and quality assurance/quality control procedures were developed based on the result of these validations, a process that took more than a year. Accordingly, Life Technologies and

QIAGEN, Inc. are the only vendors that can provide the required items in order for the Laboratory to meet project goals and to maintain compliance with accreditation standards and national DNA quality assurance guidelines.

With the majority of DNA testing equipment purchased at the start of the Laboratory in 2011, the Laboratory has sought funds from multiple grants to replace equipment that has reached its end of useful life cycle. In April 2021, Congressman Adam Schiff's Office solicited applications within his district for funding of community projects through the congressional appropriations process. The City of Glendale submitted an application on behalf of the Verdugo Regional Crime Laboratory requesting equipment, contract services, laboratory supplies and training which would expand and improve forensic testing services. In July 2021, the Laboratory's forensic testing improvement project was selected as one of ten community projects supported by Congressman Schiff. Congress approved the FY21-22 congressional omnibus bill in March 2022, and the City of Glendale was invited to apply for funding under the FY22 Byrne Discretionary Community Project Grants/Byrne Discretionary Grants Program. On July 26, 2022, the City of Glendale's grant application was approved by the Bureau of Justice Assistance, which requires acceptance of the grant within 45 days of notification.

ANALYSIS

In applying for the community project funding, the Laboratory conducted a needs assessment and identified equipment and contract services that could not be funded by other means (e.g. general fund, Paul Coverdell Forensic Science Improvement Grant Program, DNA Capacity Enhancement for Backlog Reduction (CEBR) Program Grant, etc.) due to grant program requirements or the overall cost. The community project funding provides an opportunity to expand current forensic testing services without the limitations in other grant programs.

BJA Discretionary Grant Funds will be used for the following forensic science improvement projects:

1. Extend the Laboratory's current licensing agreement with Grayshift for its GrayKey Premium software. The two-year GrayKey Premium software subscription package allows for processing of both iOS and Android phones and includes software upgrades and maintenance. The GrayKey Premium Package is proprietary to GrayShift, Inc.
2. Purchase of a VMD560 vacuum metal deposition chamber through West Technology Forensics, Inc., which will develop latent fingerprints on wide ranging evidence types at a much higher definition with superior contrast to current latent print processing techniques. West Technology Forensics, Inc. is the proprietary distributor of the VMD560 chamber, which is used in forensic laboratories nationwide. This equipment is exclusively sold, distributed, and serviced by West Technology Forensics, Inc. Further, West Technology Forensics, Inc. maintains all copyright privileges for their range of VMD products and supplies. The cost includes annual equipment maintenance and software upgrades for the first year

and is not to exceed \$211,480.

3. Replace aging DNA testing equipment and establish a more efficient DNA testing workflow.

At present, the remaining funds on the Laboratory's existing purchase order with Life Technologies are insufficient to meet the programmatic goals outlined within the Laboratory's BJA Discretionary Grant application or current DNA CEBR program grants. With the current purchase orders set to expire in May 2023, the Laboratory requests a resolution to dispense with competitive bidding and authorize the Deputy Director of Finance – Purchasing to issue purchase order agreements with Life Technologies in the amount of \$2,500,000 and with QIAGEN, Inc. in the amount of \$400,000 over 5 years. While the previous Life Technologies 5-year purchase order was for \$1.4 million, the Laboratory is accounting for an additional \$1.1 million due to current encumbered purchase orders and anticipated purchases of equipment, supplies, contract services, and maintenance agreements through the BJA Discretionary Grant Program and DNA CEBR program grant funds.

There are no matching funds required for the BJA Discretionary Grant Program.

STAKEHOLDERS/OUTREACH

Grant funds will be used to improve the quality of forensic testing services provided to customer agencies and the public.

FISCAL IMPACT

The BJA Discretionary Grant Program award of \$700,000, which will fund the West Technology Forensics, Inc. equipment within the capital outlay appropriation, was not included as part of the FY2022-23 approved budget. Therefore, staff is requesting for an appropriation of \$700,000 from Grant Revenue. Future costs for the continued maintenance, support, and updates for the West Technology Forensics, Inc. equipment will be requested by the Police Department in its budget and approved by the City Council as part of the annual citywide budget process. The appropriation request is outlined below:

Requesting Appropriation			
Amount	From (Account String)	To (Account String)	Funding Source
\$700,000	GL: 31240-2610-GPD-0020-P0000-PL: GPD00918AG		Police Grant Fund – Federal Funding
\$281,772		GL: 43110-2610-GPD-0020-P0000-PL: GPD00918AG	Police Grant Fund – Contractual Services
\$8,788		GL: 45350-2610-GPD-0020-P0000-	Police Grant Fund – Supplies

		PL: GPD00918AG	
\$409,440		GL: 51000-2610-GPD-0020-P0000-PL: GPD00918AG	Police Grant Fund – Capital

Funding for the Life Technologies and QIAGEN, Inc. agreements is multifaceted and includes Police General Fund and Federal Grants. Future years funding will be requested through the Citywide annual budget process and future grant applications. The City Council FY2022-23 approved funding is outlined below:

Life Technologies Existing Appropriation		
Amount	From (Account String)	Funding Source
\$170,000	GL: 43110-1070-GPD-8510-P8032 PL: N/A	Police Measure S General Fund – Contractual Services
\$4,709	GL: 45350-1010-GPD-7001-P6238 PL: N/A	Police General Fund – Supplies
\$162,354	GL: 51000-2610-GPD-0020 PL: GPD00517AG	Police Special Grants Fund - Capital

QIAGEN, Inc. Existing Appropriation		
Amount	From (Account String)	Funding Source
\$35,000	GL: 43110-1070-GPD-8510-P8032 PL: N/A	Police Measure S General Fund – Contractual Services
\$4,546	GL: 45350-1010-GPD-7001-P6238 PL: N/A	Police General Fund – Supplies

ENVIRONMENTAL REVIEW (CEQA/NEPA)

This item is considered a ministerial activity and therefore, not subjected to CEQA/NEPA review. There is no possibility that the acceptance of this award may have a significant effect on the environment. (14 Cal. Code Regs. § 15061(b)(3)).

CAMPAIGN DISCLOSURE

The names and business addresses of the members of the board of directors, the chairperson, CEO, COO, CFO, Subcontractors and any person or entity with more than 10% interest in the company proposed for contract in this Agenda Item Report are attached in Exhibit A, in accordance with the City Campaign Finance Ordinance No. 5744.

ALTERNATIVES

Alternative 1: Approve as requested by the Police Department.

Alternative 2: Deny the Police Department's request. Expenses for capital outlay,

furniture, equipment and training would be absorbed by the Police Department budget.
Alternative 3: The City Council may consider any other alternative not proposed by staff.

ADMINISTRATIVE ACTION

Prepared by:

Catherine Nguyen, Lab Director

Approved by:

Roubik R. Golanian, P.E., City Manager

EXHIBITS/ATTACHMENTS

Exhibit A: Campaign Disclosures for West Technology Forensics, Inc., QIAGEN, Inc., and Life Technologies.