



## Legislation Details (With Text)

**File #:** 21-0933      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 5/28/2021      **In control:** Board of Supervisors

**On agenda:** 6/29/2021      **Final action:** 6/29/2021

**Title:** District Attorney recommending the Board:  
 1) Approve and authorize the Purchasing Agent to execute Memorandum of Understanding (MOU) 5686 with the County of Sacramento District Attorney in the amount of \$125,000 with an agreement term July 1, 2021 through June 30, 2022, with the option for annual renewal up to (5) years, to provide as-needed toxicology analysis, biology/DNA and related expert testimony; and  
 2) Make findings in accordance with County Ordinance 3.13.030 that it is appropriate to contract with the County of Sacramento District Attorney for services provided under MOU 5686 because (B) "Specialty skills and qualifications not expressly identified in classifications are involved in the performance of the work".

FUNDING: General Fund.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Blue Route Sac County MOU 5686\_21-0933, 2. B - Sac Co MOU 5686\_21-0933

| Date      | Ver. | Action By            | Action   | Result |
|-----------|------|----------------------|----------|--------|
| 6/29/2021 | 1    | Board of Supervisors | Approved | Pass   |

District Attorney recommending the Board:  
 1) Approve and authorize the Purchasing Agent to execute Memorandum of Understanding (MOU) 5686 with the County of Sacramento District Attorney in the amount of \$125,000 with an agreement term July 1, 2021 through June 30, 2022, with the option for annual renewal up to (5) years, to provide as-needed toxicology analysis, biology/DNA and related expert testimony; and  
 2) Make findings in accordance with County Ordinance 3.13.030 that it is appropriate to contract with the County of Sacramento District Attorney for services provided under MOU 5686 because (B) "Specialty skills and qualifications not expressly identified in classifications are involved in the performance of the work".

**FUNDING:** General Fund.

**DISCUSSION / BACKGROUND**

MOU 5686 as presented by the Sacramento County District Attorney will provide toxicology analysis, biology/DNA and related expert testimony from an accredited crime laboratory. The Sacramento DA operates the Laboratory of Forensic Services (LFS) and per the request of the El Dorado County District Attorney's Office, will provide (2) scopes of services on an as-needed basis:

1. Suspected Cannabis: LFS will perform the examination of suspected cannabis plant samples
2. DNA Cold Cases: LFS will perform the examination of evidence suspected of containing body fluids and/or contact DNA

Reports will accompany all test samples and expert testimony will be provided as required.

The total estimated cost for the initial year of services is \$125,000. This is comprised of a \$207.43 per hour billing rate. No hours will be charged for required testimony travel. The term for the agreement is July 1, 2021 through June 30, 2022, with the option for annual renewal up to (5) years by means of a written amendment.

Additionally, in accordance with chapter 3.13, Section 3.13.030, the Board is being asked to make findings that it is appropriate to contract out for the necessary services as the work is not expressly identified in County job classifications and requires specialized skill. Being that El Dorado County does not have an accredited laboratory where samples can be safely and adequately stored for testing purposes, nor classifications that can provide the necessary testing services and expert testimony, the District Attorney's Office has no option but to outsource their needs for lab testing services.

### **ALTERNATIVES**

Should the Board opt not to approve the Purchasing Agency to execute MOU 5686 with the County of Sacramento District Attorney; the District Attorney's Office will not be able to proceed with procuring expert DNA/Cannabis sample testing services to advance their investigative casework.

### **PRIOR BOARD ACTION**

N/A

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Procurement and Contracts

### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

### **FINANCIAL IMPACT**

There is no change to Net County Cost associated with the execution of MOU 5686. Since the services will be provided on an as-needed basis, the department will assess incoming costs and absorb them within the Fiscal Year 2021-2022 recommended budget.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

### **STRATEGIC PLAN COMPONENT**

Public Safety

### **CONTACT**

Vern Pierson, District Attorney