



# COUNTY OF SAN DIEGO

## AGENDA ITEM

### BOARD OF SUPERVISORS

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**DATE:** April 26, 2022

**06**

**TO:** Board of Supervisors

### **SUBJECT**

**SHERIFF – REQUEST TO EXTEND CURRENT CONTRACT FOR FORENSIC TOXICOLOGY SERVICES FROM BIO-TOX LABORATORIES INCORPORATED (DISTRICTS: ALL)**

### **OVERVIEW**

The San Diego County Sheriff's Regional Crime Laboratory (Crime Lab) receives over 3,700 requests annually from law enforcement agencies throughout San Diego County for forensic toxicology services, or for testing of controlled substances in the blood or urine of criminal suspects. The test results are a crucial tool to criminal investigations and are essential in the prosecution of the suspects.

The Crime Lab is in the process of establishing an in-house toxicology program which will help advance the standardization of toxicology practices and phase out the outsourcing of testing by a third-party laboratory. The completion of the in-house toxicology program is estimated at June 2023. Currently, the Crime Lab contracts these services out to Bio-Tox Laboratories Incorporated. This contract will expire on June 30, 2022.

Today's request is to authorize the Director of Purchasing and Contracting to amend the Sheriff's contract with Bio-Tox Laboratories Incorporated to extend the current contract term for one year with one option year, with a six-month option if needed, subject to the availability of funds; and to amend the contract as required to reflect changes to services and funding allocations, subject to the approval of the Sheriff.

### **RECOMMENDATION**

#### **SHERIFF**

Waive Board Policy A-87 and authorize the Director, Department of Purchasing and Contracting to amend Contract 556404, with Bio-Tox Laboratories Incorporated to extend the current contract term for one year with one option year, with a six-month option if needed, subject to the availability of funds; and to amend the contract as required to reflect changes to services and funding allocations, subject to the approval of the Sheriff.

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**EQUITY IMPACT STATEMENT**

Extending the contract for toxicology testing benefits the residents in San Diego County, especially victims of crimes where there is suspected use or presence of drugs. Necessary and timely toxicology testing ensures the accountability of offenders and allows for the deliverance of justice on behalf of the victims. The ability to test for drugs and substances is critical in the prosecution of cases. Successful prosecution is a step in bringing healing for the victims of crimes, many of whom have likely been impacted by inequities and inequalities.

**FISCAL IMPACT**

Funds for this request will be included in the Fiscal Year 2022-23 CAO Recommended Operational Plan for the Sheriff’s Department. If approved, this request will result in estimated annual costs of \$560,000 for the first extension year, and then one optional year, with a six-month option if needed for a total of \$1,400,000. Subsequent year costs will be included in future year Operational Plans for the Sheriff’s Department. The funding source is existing General Purpose Revenue. There will be no change in net General Fund cost and no addition of staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**ADVISORY BOARD STATEMENT**

N/A

**BACKGROUND**

Toxicology is a division of forensic medicine concerned with the detection of the criminal use of poisons and impairing substances, including illicit drugs. Specifically, blood and urine samples are analyzed for the presence of impairing substances for persons arrested for being under the influence. The San Diego County Sheriff’s Regional Crime Laboratory receives over 3,700 requests annually for drug toxicology testing from law enforcement agencies in San Diego County. The ability to test for these substances is crucial to the prosecution of cases. Therefore, the Crime Lab requires such testing services on an on-going basis.

The Crime Lab is accredited through the American National Standard Institute (ANSI), American Society for Quality (ASQ), National Accreditation Board (ANAB), formally the Association of Crime Lab Directors/Laboratory Accreditation Board (ASCLD/LAB). Accreditation includes selecting qualified suppliers that comply with the standards required by ANAB. One such requirement for toxicology services is also to be accredited by ANAB, ASCLD/LAB or the American Board of Forensic Toxicology (ABFT). The current contractor, Bio-Tox Laboratories Incorporated, is the only supplier that meets the accreditation requirements and is located within 150 miles of San Diego County. Close proximity is required for timely pick-up and delivery of samples by the supplier, as the District Attorney is under strict timelines in the prosecution of suspected drivers under the influence of drugs or alcohol.

On May 26, 2017, the Sheriff's Department issued a Request for Bid (RFB) 8150 for toxicology services. As a result of the competitive solicitation, only one response was received from Bio-Tox

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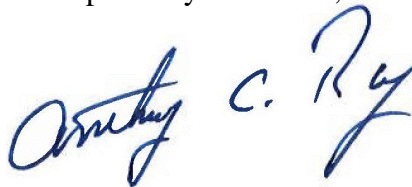
Laboratories Incorporated, and after review of their offer, was awarded Contract 556404 which will be expiring June 30, 2022.

This is a request for an extension of one year, plus one option year, for Bio-Tox Laboratories Incorporated's forensic toxicology services for the Crime Lab. The services are estimated at \$560,000 annually for one initial year from July 1, 2022 through June 30, 2023, and one option year through June 30, 2024, with a six-month option if needed, for an estimated total of \$1,400,000.

**LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN**

Today's proposed action supports the Justice Strategic Initiative of the County of San Diego 2022-2027 Strategic Plan and aligns with the objective of ensuring a fair and equitable justice system that supports and provides services for victims by aiding in the identification and subsequent apprehension of individuals engaging in criminal behavior, resulting in a safer community. Providing timely forensic drug toxicology results to the Sheriff's Department and other law enforcement agencies throughout the County assists with offender accountability and victim healing.

Respectfully submitted,

A handwritten signature in blue ink that reads "Anthony C. Ray". The signature is written in a cursive style with a large, stylized "A" and "R".

ANTHONY C. RAY  
Sheriff

**ATTACHMENT(S)**

N/A