



Travis County Commissioners Court Agenda Request

Meeting Date: Tuesday, February 4, 2014

Prepared By/Phone Number: Sydney Ceder, 512-854-9882

Elected/Appointed Official/Dept. Head: Cyd Grimes

Commissioners Court Sponsor: Judge Biscoe

Agenda Language: Approve Order Exempting the Purchase of an Agilent 5977A Inert Gas Chromatograph/Mass Spectrometer (GC/MS) System from Agilent Technologies from the Competitive Procurement Process pursuant to Section 262.024(a)(7)(A) of the County Purchasing Act.

- **Purchasing Recommendation and Comments:** Purchasing concurs with department and recommends approval of requested action. This procurement action meets compliance requirements as outlined by the statutes.

The Travis County Office of the Medical Examiner recommends the purchase of a Gas Chromatograph/Mass Spectrometer for the Medical Examiner's toxicology laboratory and has requested this exemption because of copyright and patents. Travis County has invested over 9 years in method development, instrumental condition optimization, and GC/MS methods utilizing Agilent hardware and software. The ME's office currently has four (4) Agilent units and this purchase will replace a unit that is over 15 years old. Having all four units will allow a consistent analytical approach in software and hardware and accurate data for expert witness testimony. In addition, training for the entire laboratory staff to use the new instrument will essentially be eliminated.

Agilent provides a standard one (1) year warranty that provides software upgrades and repair recovery services from the date of installation. There is no external software included, there is only internal software, so license signatures are not required.

The Court approved an exemption for a similar piece of equipment purchased from Agilent Technologies in April 2012.

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us by Tuesdays at 5:00 p.m. for the next week's meeting.

➤ **Contract Related Information:**

Award Amount: \$86,150.05

Contract Type: Exemption

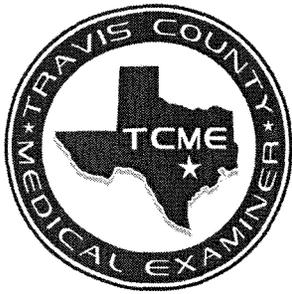
Contract Period: N/A

➤ **Funding Information:**

Shopping Cart/Funds Reservation in SAP: 1000052316

Comments: N/A

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us by Tuesdays at 5:00 p.m. for the next week's meeting.



TRAVIS COUNTY OFFICE OF THE MEDICAL EXAMINER

1213 Sabine Street PO Box 1748 Austin, TX 78767
Tel: (512) 854-9599 Fax: (512) 854-9044
www.co.travis.tx.us/medical_examiner

DAVID DOLINAK, MI
Diplomate of American Board of Pathology
CHIEF MEDICAL EXAMINER

SATISH CHUNDRU, DC
Diplomate of American Board of Pathology
DEPUTY CHIEF MEDICAL EXAMINER

KENDALL CROWNS, MI
Diplomate of American Board of Pathology
DEPUTY MEDICAL EXAMINER

LEISHA WOOD, MI
Diplomate of American Board of Pathology
DEPUTY MEDICAL EXAMINER

VICKIE WILLOUGHBY, DC
Diplomate of American Board of Pathology
DEPUTY MEDICAL EXAMINER

DATE: January 7, 2014

TO: Cyd V. Grimes, C.P.M., Purchasing Agent

FR: Sarah Scott, Chief Administrative Officer *SS*
Brad J. Hall, Ph.D, DABFT, Chief Toxicologist *BH*
Travis County Office of the Medical Examiner

RE: Purchase of an Agilent Gas Chromatograph/Mass Spectrometer
(GC/MS) – FY2014

Purpose

This request will allow us to replace a >15 year-old GC/MS and maintain sensitive/modern GC/MS instruments for drug analysis all on the same hardware/software platform. This will help us meet increased demands of quality control and validation work as recommended by accreditation committee and improve our turnaround time.

History

It is necessary for us to have multiple GC/MS instruments in our toxicology laboratory process for several reasons. First, specific tests and chemicals can be dedicated to a particular GC/MS. This eliminates contamination or interference when one routinely switches types of analysis on one GC/MS. Often an unusual test is requested that forces us to shut down a GC/MS for an equipment change and dedication of time for that testing. Thus with available GC/MS instruments, we will not interrupt our routine workflow that insures quick turnaround time. Maintaining four modern GC/MS instruments allows us to dedicated time to validation of new methods and all the instruments will be running a stable software platform compatible with new versions of Microsoft Windows.

This request will provide us a new state-of-the-art GC/MS that will allow us to conduct more analyses simultaneously. This will lead to a measurable improvement in turnaround time, detection limits, and efficiency thus offsetting the increased work we are required to do with quality control and testing of new drugs.

Instrument Evaluation and Selection

Because years have been invested in method development, instrumental condition optimization, and GC/MS methods, it is essential to purchase a GC/MS

as similar as possible to the other Agilent GC/MS instruments in our laboratory such that analytical results may be directly comparable. Both Agilent instruments will have the same software for generating and processing data therefore data can be directly comparable and viewable on each instrument. In addition training for the entire laboratory staff to use the new instrument will be essentially eliminated. Thus there are highly significant benefits in obtaining another Agilent GC/MS instrument in order to maintain a consistent analytical approach in software and hardware. The cost of instrument service will also be less. Repair and maintenance issues for multiple instruments can be addressed with one service call.

Recommendation

The analytical needs of the toxicology laboratory will be best fulfilled by the purchase of an Agilent 5977A inert GC/MS system. For the reasons listed above, I request a sole source purchase of the Agilent Technologies analytical equipment package to include a 5977A Inert MSD with Data System, 7890B GC, Laser Jet printer, and autoinjector with tray. The budgeted line item amount is \$ 90,000. The funds for this purchase are located in G/L account # 520130.

Detailed Specifications

Agilent Gas Chromatograph/
Mass Spectrometer to include:

Agilent #G7042AA 5977A Inert MSD Performance-Turbo El with Data System

Agilent #G3442B, 7890B Network GC with Split/Splitless
Injector and Interface Card to MSD

Agilent #G4513A, 7693A Autoinjector Module with installation and
familiarization

Agilent #G4514A, 7693 Autosampler 150 Position Tray with installation and
familiarization

- One-year warranty to cover any malfunctioning part associated with the gas chromatograph, mass spectrometer, vacuum pumps, software, and data system through the vendor. Warranty shall include labor and travel costs to be covered by the vendor through out the first year from the date of sale.
 - Gas chromatograph shall accommodate a 4.0 mm ID Split / Splitless Tapered Liner from Agilent with dimensions: (P/N 5190-3167) – Crucial for chromatographic consistency throughout the laboratory.
-

Suggested Vendor

Authorized Local Agilent Instrument Sales Representative:

Tracy Smith
979-774-3866

Agilent Technologies

North American Customer Contact Center
2850 Centerville Road BU3-2
Wilmington, DE 19808-1610

1-800-227-9770
302-633-8953 Fax

**ORDER EXEMPTING
PURCHASE OF AGILENT 5977A INERT GAS
CHROMATOGRAPH/MASS SPECTROMETER (GC/MS) SYSTEM FROM
AGILENT TECHNOLOGIES FROM REQUIREMENTS OF THE COUNTY
PURCHASING ACT**

WHEREAS, the Commissioners Court of Travis County, Texas has received a Sole Source Justification from the Travis County Office of the Medical Examiner and an Affidavit of Single Source sworn and submitted by the Purchasing Agent in accordance with TEXAS LOCAL GOVERNMENT CODE, 262.024(a)(7)(A) and

WHEREAS, based on the evidence presented, the Commissioners Court of Travis County, Texas finds that there is only one source available, for the purchase of the Agilent Technologies 5977A Inert Gas Chromatograph/Mass Spectrometer system for Travis County.

NOW, THEREFORE, the Commissioners Court of Travis County, Texas hereby orders that the purchase of Agilent 5977A Inert Gas Chromatograph/Mass Spectrometer system from Agilent Technologies are exempt from the requirements of the County Purchasing Act because of copyright and patents proprietary to Agilent and can be obtained from only one source.

Signed and entered this ____ day of _____, 2014.

Samuel T. Biscoe, County Judge
Travis County, Texas

Ron Davis
Commissioner, Precinct 1

Bruce Todd
Commissioner, Precinct 2

Gerald Daugherty
Commissioner, Precinct 3

Margaret J. Gomez
Commissioner, Precinct 4



Agilent Technologies

Agilent Technologies
10 North Martingale Road
Schaumburg, IL 60173

847/944-6031 877/841-4824
847/944-6200 Fax

Travis County
Medical Examiner's Office
PO Box 1748
Austin TX 78767

1/21/2014

Dear Sydney:

It is my understanding that your laboratory is considering the purchase of an Agilent 7890/5977A Gas Chromatograph and Mass Spectrometer system. As a long time user of Agilent Technologies analytical equipment, you have already benefited from Agilent's support and service. Customer surveys continue to show Agilent as the leading provider of analytical equipment to high productivity laboratories.

- Agilent is the original and only manufacturer and distributor of the Agilent 7890/5977A GC/MS system. ([Patents available](#))
- We are the only company that can officially supply the parts needed to install, retrofit or repair the Agilent GC/MS system to the original manufacturer's specifications
- We have the only official service organization in which the engineer doing the work will be certified to do said work.
- Agilent is also the original and sole supplier of the proprietary Chemstation software needed to run the GC/MS system.
- Agilent service engineers and our official service partners are the only officially trained engineers qualified to do the training and installation of the GC/MS and the Chemstation software.
- Agilent does have qualified resellers that are authorized to distribute our products, however, their distribution agreements are limited to special scenarios. For instance, we work with Quantum Analytics, they are authorized to distribute our products if the customer needs to lease equipment instead of buying, but it is restricted to leases. We have authorized resellers that are only allowed to resale our equipment if they are bundling their own equipment with ours, they are not allowed to resale our equipment by itself. With the current equipment you wish to purchase and in its current configuration, and with it being a capital purchase and not a lease, Agilent Technologies is the only authorized company that can sell this equipment to you attached in quote#1506410.

I want to thank you for considering Agilent Technologies. If there is anything that I can do to assist with your purchase please call me at 979-774-3866.

Sincerely,

Tracy Smith
Account Manager