



## Travis County Commissioners Court Agenda Request

**Meeting Date:** May 20, 2014

**Prepared By/Phone Number:** Scott Wilson, 854-1182

**Elected/Appointed Official/Dept. Head:** Cyd Grimes

**Commissioners Court Sponsor:** Judge Biscoe

**Agenda Language:** Approve Order Exempting the Purchase of an Agilent 7697A Headspace Autosampler/7890B Gas Chromatograph (HS/GC) 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 the compliance requirements as outlined by the statutes.

The Travis County Office of the Medical Examiner recommends the purchase of a 7697A Headspace Autosampler/7890B Gas Chromatograph (HS/GC) System for the Medical Examiner's toxicology laboratory and has requested this exemption because of copyright and patents. Travis County has invested many years in method development, instrumental condition optimization, and HS/GC methods utilizing Agilent hardware and software. The current toxicology instrumentation consists of two (2) systems which are nine (9) and sixteen (16) years old. Both systems will be replaced with a single HS/GC System, resulting in significant productivity gains with no additional personnel. Due to the familiarity with Agilent hardware and software throughout the laboratory, 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 February 2014.

➤ **Contract-Related Information:**

Award Amount: \$64,871.15

Contract Type: Exemption

Contract Period: N/A

➤ **Funding Information:**

SAP Shopping Cart #: 1000057376

Funding Account(s):

Comments:



Dr. Brad Hall  
 County of Travis  
 PO Box 1748  
 Austin TX 78767

TEL: 512 854 9861 FAX: 512 854-6888

# Quotation

Quote No.	Create Date	Delivery Time	Page
1541749	01/22/2014	3 Weeks	1 of 5
Contact	Phone no.	Valid to	
Tracy Smith	979-774-3866	06/30/2014	

To place an order: Call 1-800-227-9770 Option 1  
 For Instruments Fax : 302-633-8953  
 For Consumables Fax : 302-633-8901  
 Email : LSCAinstrumentsales@agilent.com  
 For Genomics Fax : 512-321-3128  
 Email : orders@agilent.com  
 For additional instructions, see last page

Product/Description	Qty/Unit	Unit List Price	Discount Amount	Extended Net Price
<b>G3440B</b> Agilent 7890B Series GC Custom. includes LAN interface, 7693 interface ,20-ramp oven programming, 6 heated zones, 2 analog out, keyboard and display pressure setpoints to 0.001psi (0-99 psi)	1.000 EA	13,197.00 USD	1,979.55-	11,217.45
With the following configuration:				
Ship-to Country : USA				
Country of Origin : China				
Capillary S/SI inlet with EPC	1 EA	4,023.00 USD	603.45-	3,419.55
FID w/EPC, for capillary column only	1 EA	4,023.00 USD	603.45-	3,419.55
FID w/EPC, for capillary column only	1 EA	4,023.00 USD	603.45-	3,419.55
Factory plumbing For quick installation	1 EA	448.00 USD	67.20-	380.80
Oven exhaust deflector	1 EA	158.00 USD	23.70-	134.30
Installation (44K)	1 EA	1,382.00 USD	207.30-	1,174.70
Familiarization at Installation (44L)	1 EA	823.00 USD	123.45-	699.55
<b>Item Total</b>				<b>23,865.45</b>
Special discount of 15.00 % is applied.				

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Contact	Phone no.	Valid to	
Tracy Smith	979-774-3866	06/30/2014	
To place an order: Call 1-800-227-9770 Option 1 For Instruments Fax : 302-633-8953 For Consumables Fax : 302-633-8901 Email : LSCAinstrumentsales@agilent.com For Genomics Fax : 512-321-3128 Email : orders@agilent.com			

Product/Description	Qty/Unit	Unit List Price	Discount Amount	Extended Net Price
<b>G4557A</b> 7697A Headspace Sampler, 111 Vial capacity. 12 vial heating. Controlled by built-in keypad or external data system. Includes onboard EPC, LAN and APG communication, 1mL loop and 3 removable 36-vial racks.  With the following configuration: Ship-to Country : USA	1.000 EA	31,145.00 USD	4,671.75-	26,473.25
Installation (44K)	1 EA	1,469.00 USD	220.35-	1,248.65
Familiarization at Installation (44L)	1 EA	435.00 USD	65.25-	369.75
<b>Item Total</b>				<b>28,091.65</b>
Special discount of 15.00 % is applied.				
<b>M8380AA</b> OpenLAB CDS ChemStation Edition PC Bundle. Includes software, core license and PC.  With the following configuration: Ship-to Country : USA Installation (44K) Familiarization at Installation (44L) 1 Year Phone Assist (44W)	1.000 EA	11,215.00 USD	1,682.25-	9,532.75
<b>Item Total</b>				<b>9,532.75</b>
Special discount of 15.00 % is applied.				



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Product/Description	Qty/Unit	Unit List Price	Discount Amount	Extended Net Price
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<b>G7318AA</b> 7697A Headspace Control GC ChemStation	1.000 EA	1,541.00 USD	231.15-	1,309.85
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With the following configuration:  
 Ship-to Country : USA

Installation (44K)	1 EA	381.00 USD	57.15-	323.85
Familiarization at Installation (44L)	1 EA	435.00 USD	65.25-	369.75

**Item Total 2,003.45**

Special discount of 15.00 % is applied.

<b>M8400AA</b> OpenLAB CDS Instrument Driver for Agilent GC License only. One license required per instrument.	1.000 EA	1,425.00 USD	213.75-	1,211.25
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With the following configuration:  
 Ship-to Country : USA

**Item Total 1,211.25**

Special discount of 15.00 % is applied.



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Product/Description	Qty/Unit	Unit List Price	Discount Amount	Extended Net Price
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<b>G2402A</b> 8-port 10/100Base-TX autosensing switch Allows up to eight devices to interface to a local laboratory LAN. Includes an 8-meter LAN cable.	1.000 EA	196.00 USD	29.40-	166.60
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With the following configuration:  
 Ship-to Country : USA

**Item Total** **166.60**

Special discount of 15.00 % is applied.

Gross Amount	:	\$	76,319.00
Total Discount	:	\$	11,447.85
Net Amount	:	\$	64,871.15
<b>Total</b>	:	<b>\$</b>	<b>64,871.15</b>

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TO PLACE AN ORDER, Agilent offers several options:

- 1) Visit <http://www.agilent.com/chem/supplies> to place online orders using a purchase order or credit card.
- 2) Call 1-800-227-9770 (option 1) any weekday between 8am and 8 pm Eastern time in the U.S., Canada & Puerto Rico.
- 3) To place an order for Consumables, please fax the order to 302-633-8901.  
 To place an instrument and/or software order, please fax the order to 302-633-8953.  
 To place an order for Genomics, please fax the order to 512-321-3128, or email to orders@agilent.com
- 4) Or you can mail your order to:  
 Agilent Technologies  
 North American Customer Contact Center  
 2850 Centerville Road BU3-2  
 Wilmington, DE 19808-1610

To place an order, the following information is required:

- Purchase order number or credit card, delivery date, ship to, invoice to, end user, and quote number.
- GSA customers please provide GSA contract #.

EXCLUSIVE OFFERS FOR NEW INSTRUMENT CUSTOMERS, go to [www.agilent.com/chem/exclusiveoffers](http://www.agilent.com/chem/exclusiveoffers)

TO CHECK THE STATUS OF AN ORDER:

- 1) Visit <http://www.agilent.com/chem/supplies> to check the status of your order.
- 2) Call 1-800-227-9770 (option 1) any weekday between 8 am and 8 pm Eastern time, in the U.S., Canada & Puerto Rico. You will need to know the purchase order or credit card number the order was placed on.

FINANCING AND LEASING - A wide range of options are available from Agilent's preferred financing partner, Leasing Group Inc. (LGI).

For more information or to discuss how monthly payments could suit your operational or budgetary requirements, contact your Agilent Account Manager or contact LGI at 800-944-1370.

TERMS AND CONDITIONS:

- Pricing: Web prices are provided only for the U.S. in U.S.dollars. All phone prices are in local currency and for end use. Applicable local taxes are applied.
- All Sales Tax is subject to change at the time of order.
- Shipping and Handling Charges: Orders with a value less than \$4000 or those requiring special services such as overnight delivery may be subject to additional shipping & handling fees. Some of these charges may be avoided by ordering via the Web
- Payment Terms: Net 30 days from invoice date, subject to credit approval.

\* Quotation Validity: This quotation is valid for 60 days unless otherwise indicated.

\* Warranty period for instrumentation is 1 year. The Warranty period for columns and consumables is 90 days.

It is Agilent Technologies intent to ship product at the earliest available date unless specified otherwise.

The sale of standard Products and Services referenced in this quotation is subject to the then current version of Agilent's Terms of Sale, and any LSCA Supplemental Terms or other applicable terms referenced herein. If any Products or Services are manufactured, configured or adapted to meet Customer's requirements, the sale of all Products and Services referenced in this quotation is subject to the then current version of Agilent's Terms of Sale for Custom Products and any LSCA Supplemental Terms or other applicable terms referenced herein. A copy of Agilent's Terms of Sale, Agilent's Terms of Sale for Custom Products and the LSCA Supplemental Terms is either attached or has been previously provided to you. Please contact us if you have not received a copy or require an additional copy. If you have a separate agreement in effect with Agilent covering the sale of Products and Services referenced in this quotation, the terms of that agreement will apply to those Products and Services. Agilent expressly objects to any different or additional terms in your purchase/sales order documentation, unless agreed to in writing by Agilent. Product and Service availability dates are estimated at the time of the quotation. Actual delivery dates or delivery windows will be specified at the time Agilent acknowledges and accepts your purchase order. The above conditions shall apply to the fullest extent permitted by the law. You may have other statutory or legal rights available. Commodities, technology or software exported from the United States of America ("U.S.") or from other exporting countries will be subject to the U.S. Export Administration Regulations and all exporting countries' export laws and regulations. Diversion contrary to U.S. law and the applicable export laws and regulations is prohibited.



## 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](http://www.co.travis.tx.us/medical_examiner)

**DAVID DOLINAK, MD**  
Diplomate of American Board of Pathology  
CHIEF MEDICAL EXAMINER

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

**KENDALL CROWNS, MD**  
Diplomate of American Board of Pathology  
DEPUTY MEDICAL EXAMINER

**LEISHA WOOD, MD**  
Diplomate of American Board of Pathology  
DEPUTY MEDICAL EXAMINER

**VICKIE WILLOUGHBY, DO**  
Diplomate of American Board of Pathology  
DEPUTY MEDICAL EXAMINER

**DATE:** March 3, 2014

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

**FR:** Brad J. Hall, Ph.D, DABFT, Chief Toxicologist  
Travis County Office of the Medical Examiner

**RE:** Purchase of a Headspace Autosampler/Gas Chromatograph System  
– FY2014

**Purpose:**

Purchase of a headspace autosampler/gas chromatograph (HS/GC) system to upgrade outdated and unsupported instrumentation.

**History:**

The Toxicology Laboratory is required to analyze ethanol (alcohol) and other volatile compounds in approximately 90% of our cases. The current toxicology instrumentation consists of two systems: one which is sixteen years old and the other which is eight years old. Unfortunately, the newer system is less reliable. One criticism leveled against the laboratory from outside entities is turn-around time. Both systems could be replaced with a single Headspace Autosampler/Gas Chromatograph and the laboratory would make significant productivity gains.

To enable to the Toxicology Laboratory to keep pace with the expanding caseload, productivity gains are needed. The Headspace Autosampler/Gas Chromatograph will result in significant Toxicology Laboratory productivity gains with no additional personnel and will also consolidate laboratory equipment.

**Instrument Evaluation and Selection:**

Because of years of method development in our laboratory, only technologies that utilize pressurization of a headspace vial with direct application of the headspace sample through a transfer line onto the column with or without a valve system. In addition, the entire system including the software control should be from one manufacturer. Because of familiarity with Agilent software and hardware throughout the laboratory thus allowing ease of training and in-house routine maintenance, use of Agilent consumables existing in the laboratory, and proven reliability of the system for blood alcohol analysis in other forensic laboratories we recommend the following Agilent product.

Agilent – Agilent 7890B Series GC Custom with 7697A Headspace Sampler, 111 vial capacity with computer and software to control the system.

- One-year warranty to cover any malfunctioning part associated with the system

Recommendation

The analytical needs of the toxicology laboratory will be best fulfilled by the purchase of the Agilent 7890B Series GC Custom with 7697A Headspace Sampler, 111 vial capacity. For the reasons listed above, I request a sole source purchase of the Agilent Technologies analytical equipment package to computer, printer and software to control the system. The budgeted line item amount is \$ 65,000. The funds for this purchase are located in G/L account # 520130.

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



**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

5/7/2014

Dear Scott:

It is my understanding that your laboratory is considering the purchase of an Agilent 7890B/7697A Gas Chromatograph and Headspace system (GC/HS). 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 7890B/7697A GC/HS system. ([Patents available](#))
- We are the only company that can officially supply the parts needed to install, retrofit or repair the Agilent GC/HS 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/HS 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/HS 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. These resellers are classified as Value Added Resellers and Value Added Distributors. For instance, we work with Quantum Analytics, they are a Value Added Distributor (VAD) and are authorized to distribute our products if the customer needs to lease equipment instead of buying, but it is restricted to leases. The "value" they add in this scenario is they offer lease terms to the end user. Agilent does not offer lease terms. We have other 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#1541749.

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

May 5, 2014

TO: Commissioners Court  
Travis County, Texas

SOLE SOURCE PURCHASE FROM AGILENT TECHNOLOGIES FOR THE 7697A  
HEADSPACE AUTOSAMPLER/7890B GAS CHROMATOGRAPH (HS/GC)  
SYSTEM

I certify that the purchase of the 7697A Headspace Autosampler/7890B Gas Chromatograph (HS/GC) system from Agilent Technologies for Travis County Office of the Medical Examiner constitutes a sole source exemption pursuant to V.T.C.A. Local Government Code 262.024 (a) (7) (A) for which competition is precluded, because of copyrights and patents proprietary to Agilent Technologies.

This statement is submitted pursuant to V.T.C.A. Local Government Code 262.024 and is to be entered into the Commissioners Court minutes.

Cyd V. Grimes, C.P.M.  
Travis County Purchasing Agent

APPROVED ( )      DISAPPROVED ( )

BY COMMISSIONERS COURT ON

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(COUNTY JUDGE)

**ORDER EXEMPTING  
PURCHASE OF THE AGILENT 7697A HEADSPACE AUTOSAMPLER/7890B GAS  
CHROMATOGRAPH (HS/GC) SYSTEM FROM THE REQUIREMENTS OF THE  
COUNTY PURCHASING ACT**

WHEREAS, the Commissioners Court of Travis County, Texas has received a Sole Source Justification from Travis County Office of the Medical Examiner and an Affidavit of Sole Source Exemption 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 7697A Headspace Autosampler/7890B Gas Chromatograph (HS/GC) system for Travis County.

NOW, THEREFORE, the Commissioners Court of Travis County, Texas hereby orders that the purchase of the Agilent Technologies 7697A Headspace Autosampler/7890B Gas Chromatograph system is exempt from the requirements of the County Purchasing Act because of copyright and patents proprietary to Agilent Technologies and can be obtained from only one source.

Signed and entered this \_\_\_\_ day of \_\_\_\_\_, 2014.

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Samuel T. Biscoe, County Judge  
Travis County, Texas

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Ron Davis  
Commissioner, Precinct 1

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Bruce Todd  
Commissioner, Precinct 2

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Gerald Daugherty  
Commissioner, Precinct 3

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Margaret Gomez  
Commissioner, Precinct 4