



County of San Mateo

Inter-Departmental Correspondence

Department: HEALTH

File #: 22-1002

Board Meeting Date: 12/13/2022

Special Notice / Hearing: None

Vote Required: Majority

To: Honorable Board of Supervisors

From: Louise F. Rogers, Chief, San Mateo County Health
Marc Meulman, Director, Public Health, Policy, and Planning

Subject: Vendor Agreement for Biomerieux -USA for Testing Supplies

RECOMMENDATION:

Adopt a resolution:

- A) Authorizing the Purchasing Agent to spend up to \$800,000 for a term of 36 months, for Biomerieux -USA test kits that are compatible with FilmArray Instruments; and
- B) Authorizing County Procurement to create a new vendor agreement and add new reagents and test supplies as necessary.

BACKGROUND:

In 2013, the County Office of Emergency Services purchased two Biomerieux -USA FilmArray instruments for the County's Public Health Laboratory (PHL), which is run by the Public Health, Policy, and Planning (PHPP) division. The instruments support multiple molecular test panels that rapidly detect for respiratory and gastrointestinal (GI) pathogens, as well as biothreat agents. Using FilmArray Polymerase Chain Reaction (PCR) panels significantly reduces the turnaround time for pathogen detection, when compared to other conventional or molecular methods.

DISCUSSION:

Biomerieux -USA is the sole source provider of kits and reagents that are compatible with Biomerieux -USA FilmArray instruments. The vendor agreement County Procurement created in 2019 to purchase FilmArray instruments from Biomerieux -USA, previously DBA as Biofire Diagnostics, LLC, expired in April 2022. Every year, Biomerieux -USA provides the County with a proprietary fixed-price quote on various products. PHL then order supplies consistent with that fixed-price on an as-needed basis.

PHPP is requesting authorization from this Board to allow County Procurement to re-establish the vendor agreement that allows the Purchasing Agent to spend up to \$800,000 for a term of 36 months, to order test kits that are compatible with the Biomerieux -USA FilmArray instruments. This

Board's authorization to spend is necessary due to the anticipated spend exceeding \$200,000 annually for test kits. PHPP is also requesting that this Board waive the competitive bid process for test kits as Biomerieux -USA is a sole source for this product.

The resolution has been reviewed and approved by the County Attorney as to form.

It is anticipated that PHL will perform 945 PCR tests during FY 2022-23.

PERFORMANCE MEASURE:

Measure	FY 2021-22 Actual	FY 2022-23 Estimated
Number of PCR tests performed by PHL	900 PCR tests	945 PCR tests

FISCAL IMPACT:

The term of the proprietary quote from Biomerieux -USA Diagnostics is 36 months, allowing the County to spend up to \$800,000. Funds in the amount of \$250,000 has been included in the PHPP FY 2022-23 Adopted Budget. Similar arrangements will be made for future budget years. The PHL has applied a cost-based testing fee schedule, which covers 95% of the cost of reagents for test orders. The remaining 5% will be covered by Net County Cost.