

BILL NO. 20-249

AN ORDINANCE APPROVING A SOLE SOURCE AGREEMENT IN THE FORM OF PURCHASE ORDERS BETWEEN THE CITY OF LEE'S SUMMIT AND MEDLINE INDUSTRIES, INC. FOR THE PURCHASE OF COVID-19 TESTING SUPPLIES FOR AN AMOUNT NOT TO EXCEED \$100,000.00, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO IMPLEMENT THE SAME BY AND ON BEHALF OF THE CITY AND CONTAINING AN EMERGENCY CLAUSE.

WHEREAS, the City of Lee's Summit ("City") purchased the Cepheid GeneXpert Xpress point of care testing platform to conduct COVID-19 testing to support continuity of operations within the City workforce; and,

WHEREAS, the Cepheid GeneXpert Xpress testing platform uses proprietary test kits; and,

WHEREAS, Medline Industries, Inc., is the only authorized distributor for the test cartridges in the City's region; and,

WHEREAS, the City's original purchase of the testing platform and supplies cost \$47,240.00. Due to the ongoing public health emergency known as COVID-19, the City anticipates spending up to \$100,000.00 more on testing supplies; and,

WHEREAS, Section 4 of the City's Procurement Policy requires City Council approve whenever the City anticipates spending \$50,000 or more on a contract; and,

WHEREAS, the City Council determines that the adoption of this ordinance relates to the immediate preservation of the public health and safety because it helps the City respond to and mitigate against the effects of COVID-19.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. The City Council of the City of Lee's Summit hereby approves an agreement in the form of purchase orders between the City and Medline Industries, Inc., a sole source provider, for the purchase of testing supplies for an amount not to exceed \$100,000.00, and authorizes the City Manager to execute all documents necessary to implement the same by and on behalf of the City.

SECTION 2. The City Council hereby declares this Ordinance to be an emergency ordinance and may be passed on its day of introduction due to the outbreak of COVID-19 in the United States, the declaration of an emergency by the Governor of Missouri and Mayor of Lee's Summit due to this health pandemic, and finds the purchase of the testing supplies is necessary for the immediate preservation of the public health and safety and to limit the spread of COVID-19, and is an emergency within the meaning of Section 3.13(f)(1) of the Charter of the City of Lee's Summit, Missouri.

SECTION 3. This Ordinance shall be in full force and effect from and after the date of its adoption, passage, and approval by the Mayor.

SECTION 4. Should any section, sentence, or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences or clauses.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this _____day of _____, 2020.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2020.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*