



## Legislation Details (With Text)

**File #:** 19-1104      **Version:** 1      **Name:**  
**Type:** Contract      **Status:** Passed  
**File created:** 11/4/2019      **In control:** City Commission  
**On agenda:** 7/7/2020      **Final action:** 7/7/2020  
**Title:** INTERLOCAL AGREEMENT FOR BIOLOGY PROCESSING LABORATORY BETWEEN THE CITY OF BOCA RATON, THE CITY OF BOYNTON BEACH AND THE CITY OF DELRAY BEACH  
**Sponsors:** Police Department  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Agenda Cover Report, 2. Legal Review Checklist\_BPL, 3. BPL agreement 2020 final\_6-24-20 with signature blocks

Date	Ver.	Action By	Action	Result
7/7/2020	1	City Commission	approved	

**TO:** Mayor and Commissioners  
**FROM:** Javaro Sims, Police Department  
**THROUGH:** Jennifer Alvarez, Interim City Manager  
**DATE:** July 7, 2020

INTERLOCAL AGREEMENT FOR BIOLOGY PROCESSING LABORATORY BETWEEN THE CITY OF BOCA RATON, THE CITY OF BOYNTON BEACH AND THE CITY OF DELRAY BEACH

### **Recommended Action:**

Motion to Approve an Interlocal Agreement between the City of Boca Raton, the City of Boynton Beach and the City of Delray Beach that will allow the parties to pre-screen their DNA sample evidence in a shared Biology Processing Laboratory for the cost of \$66,200 for the initial year. After the initial year, the fee will be adjusted annually to reflect the proportional shares of the actual costs. The fees, per this agreement, are not expected to increase more than 10% per year. The estimated amount for the initial five-year agreement term is \$404,158.

### **Background:**

The Interlocal Agreement between the City of Boca Raton, the City of Delray Beach and the City of Boynton Beach will allow the Parties to pre-screen their DNA sample evidence in a shared Biology Processing Lab. Pre-screening is a process by which evidence is evaluated by an analyst to determine if there is usable and recoverable DNA in the sample. Without pre-screening, the analysis of the evidence sent directly to the Sheriff's Forensic Biology Unit would be very time consuming and could take months depending on the case. The Biology Processing Lab does not only increase the efficiency and effectiveness of pre-screening DNA sample evidence, but the evidence screened in this lab is given priority by the Sheriff's Forensic Biology Unit for analyzing DNA samples for use in investigations and trials, pursuant to the Interlocal Agreement between The City of Boca Raton and the Palm Beach Sheriff's Office.

The City has previously entered into Interlocal Agreement with the parties for pre-screening DNA

evidence in 2010. This agreement was effective for five years and has ended in July 2015. New agreement was approved in November of 2015. The agreement is valid for five years and will expire on November 18, 2020.

The first year cost to the City of Delray Beach in this new agreement will be \$66,200. The agreement is for five years, but may be terminated upon one-hundred eighty 180 days written notice to the other parties. The agreement can also be extended for two (2) additional five-year terms upon written approval of the parties. The Delray Beach Police Department believes that this lab greatly increases our ability to solve criminal cases as it increases our ability to effectively use touch DNA, which is evidence that is left behind from skin cells when a person touches or comes in contact with an item. If an approved private laboratory was used for pre-screening, cost would vary based on the amount of evidence recovered that needs to be analyzed. This depends on the amount and type of cases. The yearly fee per the Interlocal Agreement between the parties allows for unlimited amount of evidence to be submitted for analysis.

The estimated amount of the initial five-year agreement term is \$404,158. Should the City exercise the renewal options provided in the Interlocal Agreement, the cumulative agreement value is provided below.

Estimated Agreement Amount		
Initial Term (five-years)	July, 2020 - July, 2025	\$404,158
Renewal Term 1 (five-years)	July, 2025 - July, 2030	\$650,900
Renewal Term 2 (five-years)	July, 2030 - July, 2035	\$1,048,281
	Total	\$2,103,339

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

The cost for all operational expenditures, as determined by the City of Boca Raton, shall be paid proportionately, with the City of Delray Beach paying 33%, or \$66,200 for the first year. After the initial year, the fee shall be adjusted annually to reflect the proportional shares of the actual costs. The fee, per this agreement, is not expected to increase more than 10% per year. The funding for this agreement is subject to budget approvals and would be in account 001-21-150-521.34-90 (Operations - Other Contractual Services).