



# WASHOE COUNTY

Integrity Communication Service

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## STAFF REPORT

BOARD MEETING DATE: February 26, 2019

**DATE:** January 25, 2019

**TO:** Board of County Commissioners

**FROM:** Megan Sizelove, P.E., Project Manager, Capital Projects  
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**THROUGH:** Dwayne Smith, P.E., Division Director, Engineering and Capital Projects  
Community Services Department, 328-2043, [desmith@washoecounty.us](mailto:desmith@washoecounty.us)

**SUBJECT:** Recommendation to: 1) award a bid and approve the Agreement to the lowest responsive, responsible bidder for the Forensic Science Tenant Improvement Project at the Washoe County Sheriff's Office [staff recommends K7 in the amount of \$357,157]; and 2) approve cross-fund appropriation transfers to provide additional funding for the construction bid, technology infrastructure, and project contingency (20%) [in the amount of \$200,000], including the use of General Fund Contingency if needed [in the amount not to exceed \$40,000]; and 3) if approved; direct the Comptroller's Office to make the appropriate cross-fund appropriation transfers [impact to County Budget is zero]. (Commission District 3.)

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### SUMMARY

With the passing of AB 97 (Revises provisions relating to evidence collected from and the reimbursement of payment for forensic medical examinations of victims of sexual assault) the Washoe County Sheriff's Office Forensic Science Division has increased staffing levels to meet the Bill's requirements. Currently, there is not adequate laboratory space for staff to efficiently process the increased number of kits. In addition, there's a need for additional staff offices to accommodate these new DNA criminalists. This project will address these needs by renovating the existing DNA Laboratory, Primary Examination Rooms, staff offices, conferences rooms, break room and the evidence storage room.

Sealed bids were opened on January 23, 2019. Four bids were received and summarized as follows:

| Forensic Science Tenant Improvement Project |           |
|---|-----------|
| Bidder                                      | Amount    |
| K7 Construction, Inc.                       | \$357,157 |
| Bruce Purves Construction, Inc.             | \$360,314 |
| Houston Smith Construction, Inc.            | \$463,700 |
| Brycon                                      | \$601,768 |
| Engineers Estimate                          | \$600,000 |

AGENDA ITEM # \_\_\_\_\_

Staff has verified in the System for Award Management Exclusions that no bidder is excluded from receiving federal government contracts as a result of being debarred; thus, none of the bidders is prohibited by NRS 338.017(2) from being awarded a public works contract.

Washoe County Strategic Objective supported by this item: Safe, secure and healthy communities.

### **PREVIOUS ACTION**

On May 22, 2018, the Board of County Commissioners (Board) approved the Capital Improvements Plan for Fiscal Years 2019-2023.

On August 8, 2017, the Board approved a grant award in the amount of \$1,641,617 from the Nevada Office of the Attorney General (AB 97) to pay the salaries of six full time DNA Criminalists for one year, a laboratory remodel to accommodate the positions, and costs associated with the testing of sexual assault kits.

On February 23, 2016, the Board award Invitation to Bid #2964-16 for untested sexual assault kit analysis to Sorenson Forensics LLC.

### **BACKGROUND**

Many jurisdictions across the country are looking at the issue of sexual assault kits that have not been submitted to a forensic science laboratory for DNA testing. It is unknown how many un-submitted sexual assault kits there are nationwide. A task force has been created to address this issue in Nevada. The task force consists of representatives from Nevada's Attorney General's Office, Law Enforcement Agencies, Forensic Science Laboratories, District Attorney's Offices, Legislators, Sexual Assault Response Team, Victim Advocate Groups, and Universities. It is estimated that between 1000 and 1500 un-submitted sexual assault kits exist in northern Nevada. The goal of this task force is to identify means by which all of the un-submitted sexual assault kits in Nevada are tested in the next 2-3 years. A combination of grant funds, FBI assistance, and monies from the Attorney General's Office in the form of an inter-local agreement will ensure that all un-submitted sexual assault kits will be tested for DNA in northern Nevada.

The WCSO Forensic Science Division (WCSO-FSD) is coordinating the testing of the un-submitted sexual assault kits in northern Nevada. Un-submitted sexual assault kits are currently being outsourced to a private laboratory so as to not adversely affect the current caseload at the WCSO-FSD. All data obtained from the testing of these kits will be reviewed by the WCSO-FSD and appropriate DNA profiles entered into the DNA database by the WCSO-FSD.

AB 97 will ensure that all future sexual assault kits are tested for DNA. The WCSO-FSD is expected to receive an additional 350 sexual assault cases a year because of AB 97. This law also requires these kits to be tested within 120 days. To be able to meet a 120 day turnaround time, the WCSO-FSD will need six additional DNA criminalists, a laboratory remodel to accommodate these new criminalists, and funds for the costs associated with the testing of the kits for DNA. While the DNA criminalists are in training, sexual assault kits will be outsourced to a private laboratory to ensure that kits are processed in a timely fashion. Funds from this grant will be utilized to pay for this outsourcing.

### **FISCAL IMPACT**

The Forensic Science Tenant Improvement Project is funded by contributions from the AB 97 Grant in the amount of \$360,000, WCSO FY19 salary savings in the amount of \$140,000, and if needed, General Fund Contingency not to exceed \$40,000.

In August of 2017, \$300,000 of the AB 97 grant funds were approved by the Board as a cross-fund appropriation transfer from the AB 97 Grant to the Capital Improvement Fund for the crime laboratory remodel. Additional resources are needed to cover the construction bid - \$357,157, technology infrastructure - \$31,127, and a 20% project contingency - \$77,000 for the Forensic Science Tenant Improvement Project for a total amount of \$465,284. Design and administrative costs totaling \$72,898 have been expensed prior to the construction of the remodel.

The following cross-fund appropriation transfers are required to be added to the project in the Capital Improvements Fund (F402). All transfers are within the existing FY 19 approved budget for Washoe County:

| <b>Fund</b>                          | <b>Department/Expenditure</b>           | <b>Budget Change</b>    |
|--------------------------------------|---|-------------------------|
| Office of the Sheriff (Fund 100)     | 150200 – Salary Adj. (701412)           | \$(140,000)             |
| Office of the Sheriff (Fund 100)     | 150200 – Transfer to PW (814092)        | \$140,000               |
| AG Grant AB 97 (Fund 270)            | IO 11418 – Operating Supplies (710300)  | \$(70,390)              |
| AG Grant AB 97 (Fund 270)            | IO 11418 – Transfer to PW (814092)      | \$70,390                |
| Sheriff Crime Lab Remodel (Fund 402) | PW920492 – Buildings Capital (781002)   | \$210,390               |
| Sheriff Crime Lab Remodel (Fund 402) | PW920492 – Transfer Other Rest.(622270) | \$210,390               |
| *General Fund Contingency (Fund 100) | *If needed – Transfer to PW             | *Not to exceed \$40,000 |

### **RECOMMENDATION**

It is recommended that the Board of County Commissioners: 1) award a bid and approve the Agreement to the lowest responsive, responsible bidder for the Forensic Science Tenant Improvement Project at the Washoe County Sheriff's Office [staff recommends K7 in the amount of \$357,157]; and 2) approve cross-fund appropriation transfers to provide additional funding for the construction bid, technology infrastructure, and project contingency (20%) [in the amount of \$200,000], including the use of General Fund Contingency if needed [in the amount not to exceed \$40,000]; and 3) if approved; direct the Comptroller's Office to make the appropriate cross-fund appropriation transfers [impact to County Budget is zero].

**POSSIBLE MOTION**

Should the Board agree with staff's recommendation, a possible motion would be: "Move to 1) award a bid and approve the Agreement to the lowest responsive, responsible bidder for the Forensic Science Tenant Improvement Project at the Washoe County Sheriff's Office [staff recommends K7 in the amount of \$357,157]; and 2) approve cross-fund appropriation transfers to provide additional funding for the construction bid, technology infrastructure, and project contingency (20%) [in the amount of \$200,000], including the use of General Fund Contingency if needed [in the amount not to exceed \$40,000]; and 3) if approved; direct the Comptroller's Office to make the appropriate cross-fund appropriation transfers [impact to County Budget is zero]."