

**CITY OF CARLSBAD**  
**SOLE SOURCE AND EMERGENCY PROCUREMENT REQUEST AND**  
**DETERMINATION FORM**

A sole source *determination* is not effective until the *sole source request for determination* has been posted for thirty (30) calendar days without challenge, and subsequently approved in writing by the Purchasing Manager. *A purchase order will not be issued and orders may not be placed until the sole source determination as been posted for a minimum of 15 days.*

I. Name of Company: ThermoFisher Scientific Date: 7/27/23

Please Check One: New Sole Source  Renewal of Existing Sole Source

Please Check One:  Product  Services  Product and Services

Type of Sole Source Requested: *(Please check the one that best describes the type of Sole Source you are requesting)*

**Company Sole Source** (Only one company can provide the goods or services)

**Brand Name Sole Source** (Only this brand will serve the intended purpose or function with existing equipment or systems, including software)

**Unique Professional Services** (Only one company or individual can provide this service due to the creative nature of the service or custom delivery of goods or services that are unique and subject to custom design and/or fabrication.

**\*\*Please note- True Professional Services under \$60,000 in value are considered a small purchase and does not require a sole source determination.**

**Proprietary Sole Source** (Only this company provides this product or service and only this company can provide after sale maintenance, repairs or service agreements)

**Local Sole Source** (Only one company exists to provide this product or service locally and due to the nature of the purchase, it is not feasible or reasonable to obtain the product or service from non-local sources. Only one local vendor is able to respond to the need in a timely manner due to local proximity)

Amount of Purchase \$ 175,000.00

II.  **Emergency Procurement Request**

**DEFINITION OF EMERGENCY CONDITIONS:**

An emergency condition is a situation which creates a threat to public health, welfare, safety or property such as may arise by reason of floods, epidemics, riots, equipment failures or similar events. The existence of the emergency condition creates an immediate and serious need for services, construction or items of tangible personal property that cannot be met through normal procurement methods and the lack of which would seriously threaten:

- A. the functioning of government;
- B. the preservation or protection of property; or
- C. the health or safety of any person.

Please provide a detailed explanation for why the purchase required meets the above definition of an Emergency Condition.

N/A

**\*\* The Emergency Determination will only be in effect as long as needed to alleviate the emergency conditions. Once the emergency condition has passed, regular procurement methods and procedures must be followed.**

Amount of purchase: \$ \_\_\_\_\_

**Sole Source Determination**

- III. Provide a detailed, sufficient explanation of the reasons, qualifications, proprietary rights or unique capabilities of the prospective contractor that makes the prospective contractor ***the one source*** capable of providing the required professional service, service, construction or item(s) of tangible personal property. (Please do not state the source is the “best” source or the “least costly” source. Those factors do not justify a “sole source.”)

ThermoFisher Scientific is the sole manufacturer of the Applied Biosystems RapidHIT ID system, and associated RapidLINK software. ThermoFisher Scientific is also the sole manufacturer of validated system consumables including sample cartridges, primary cartridges, utility cartridges, and other items.

A Sole Source Supplier Applied Biosystems RapidHIT ID Instrument, Consumables and RapidLINK Software for Human Identification letter is included with this request.

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- IV. Provide a detailed, sufficient explanation of how the professional service, service, construction or item(s) of tangible personal property is/are ***unique and how this uniqueness is substantially related to the intended purpose of the contract.***

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N/A

- V. Explain why other similar professional services, services, construction or item(s) of tangible personal property *cannot* meet the intended purpose of the contract.

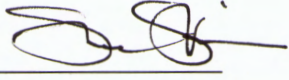
N/A

- VI. Provide a narrative of the due diligence used in determining the basis for the procurement, including a review of available sources and include Include a list of businesses contacted (*do not state that no other businesses were contacted*), date of contact, method of contact (telephone, mail, e-mail, other), and documentation demonstrating an explanation of why those businesses could not or would not, under any circumstances, provide the goods or services; or an explanation of why the department has determined that no businesses other than the prospective contractor can provide the goods or services requested.

N/A

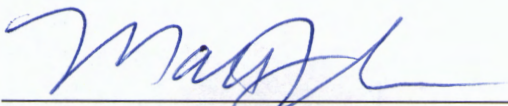
Certified by:

Date: 08/01/2023

**Shane Skinner**   
Department Director

APPROVED:

Date: 8-16-23

  
Chief Procurement Officer

Authority to Proceed

- 1) the signature of the CPO on this form certifies the sole source has been posted for thirty (30) calendar days and has received no challenges;
- 2) the sole source is granted as of the date of signature by the State Purchasing Agent; and
- 3) the signature of the CPO on this form is the final signature required for this sole source procurement.



**Thermo Fisher Scientific**  
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[www.thermofisher.com](http://www.thermofisher.com)

April 7, 2023

**RE: Sole Source Supplier Applied Biosystems™ RapidHIT™ ID Instrument, Consumables and RapidLINK™ Software for Human Identification**

**Dear Valued Customer:**

Thank you for your interest in Thermo Fisher Scientific's Applied Biosystems™ brand of instruments, software, and consumables for Human Identification. Please accept this letter to document that Thermo Fisher Scientific is the sole manufacturer of the Applied Biosystems RapidHIT ID system, and associated RapidLINK software as detailed in Table 1.

In addition, Thermo Fisher Scientific is the sole manufacturer of validated system consumables including sample cartridges, primary cartridges, utility cartridges, and other items, as detailed in Table 2. Thermo Fisher Scientific's factory trained service engineers and authorized partners are the only personnel certified to perform preventative maintenance and service work on the RapidHIT ID systems.

Further documentation describing the unique specifications of the Applied Biosystems brand of Rapid DNA instruments can be found on the Thermo Fisher Scientific website, including user manuals.

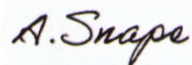
This information should justify Thermo Fisher as "Sole Source" supplier for all Applied Biosystems RapidHIT ID system, consumables, and associated RapidLINK software that you need to perform Rapid DNA Analysis, for the purpose of Human Identification. Please note that the SKU's in the tables are not exhaustive but represent the key sole source products in our portfolio.

In addition, we are pleased to provide Thermo Fisher Scientific Human Identification Professional Services (HPS) group. HPS provides consultancy and validation services for Human Identification applications with expertise focused on the extensive line of the Applied Biosystems™ brand of instruments, software, and consumables. The HPS team combines extensive internal technical product knowledge with vast experience in forensic laboratory validations across a global team to customize end-to-end solutions for laboratories. The HPS team has completed hundreds of projects since 2007 that include many combinations of the Applied Biosystems products listed above.

The HPS team is comprised of forensic scientists with broad and extensive validation experience for forensic DNA applications. Validation project work at customer laboratories is performed by Thermo Fisher Scientific Validation Application Specialists (VAS), who have all worked as forensic scientists and understand the workflow, standards, attention to detail, and unique needs of forensic DNA laboratories. External consultants with the relevant qualifications and training may also be involved in some areas of the validation project.

We appreciate your business and request that if you have any further questions that you contact me directly.

Regards,

A handwritten signature in cursive script that reads "A. Snape".

Adam Snape  
Associate Director, Product Management  
Human Identification Business

<b>Table 1: Instruments &amp; Software</b>
A41810 - AB RAPIDHIT ID SYSTEM SYSTEM
A43917 - AB RAPIDHIT ID NOAV SYSTEM SYSTEM
A57883 - RAPIDHIT ID, ASSURANCE, PS
A51271 - RAPIDHIT ID DNA BOOKING SYSTEM
A50391 - RAPID JUMPSTART PACKAGE
A50401 - RAPID JUMPSTART PACKAGE XL
A48503 - RAPIDLINK LAPTOP SYSTEM CARTON
A41813 - AB RLINK SW V1.0 1LIC EACH
A41814 - AB RLINK SW v1.0 3LIC
A41815 - AB RLINK SW v1.0 10LIC
A51535 - AB RAPIDHIT ID DNA BS V1.0
A43976 - AB RLINK DNABS V1.0 1LIC
A43977 - AB RLINK DNABS V1.0 3LIC
A43978 - AB RLINK DNABS V1.0 10LIC
A41816 - AB RLINK SW V1.0 SED APP EACH
A41817 - AB RLINK SW V1.0 KIN APP EACH
A41818 - AB RLINK SW V1.0 MATCH APP EACH
A41819 - AB RLINK SW V1.0 FAM APP EACH
A41820 - AB RLINK SW v1.0 SW Upgrd
A43973 - AB RHID SW V1.3 UPGRADE KIT
A49069 - RHID UPG, W10 LTSC 2019 CARTON

<b>Table 2: Consumables</b>
400096RH - RAPIDHIT ID GFE CNTRL 5 SAMPLE CRTRDG KIT
400114RH - RAPIDHIT ID ACE GFE EVAL 10 CRTRDG KIT
A41831 - AB RHID ACE GFE 50 SMPL KIT EACH
A41841 - AB RHID PRIMARYCTRG GFE 100 EACH
A42469 - AB RHID ACE GFE POS CTRL CTDG
A42470 - AB RHID ACE GFE NEG CTRL CTDG
A43941 - AB RI SC 10 EVAL KIT KIT
A43942 - AB RI SC 50 KIT KIT
A53084 - AB RHID PRIMARYCTRG GFE 150
A42471 - AB RHID UTILITY CTDG CARTRIDGE
A41838 - AB RHID ACE NGM 50 SMPL KIT EACH
A41847 - AB RHID PRIMARYCTRG NGM 100 KIT
A53085 - AB RHID PRIMARYCTRG NGM 150