

**THIRD AMENDMENT TO NAPA COUNTY AGREEMENT NO. 170294D
(BODE CELLMARK SERVICE AGREEMENT CONTACT BH-NAPA-2014)**

THIS THIRD AMENDMENT TO AGREEMENT NO. 170294D and BH-NAPA-2014 (“the Agreement”) is made and entered into as of this 1st day of July, 2022 by and between NAPA COUNTY, a political subdivision of the State of California, hereinafter referred to as “COUNTY,” and Bode Cellmark Forensics, Inc., with a place of business at 10430 Furnace Road, Suite 107, Lorton VA 22079, hereinafter referred to as “CONTRACTOR.”

RECITALS

WHEREAS, on July 1, 2014, COUNTY and CONTRACTOR, previously known as The Bode Technology Group, Inc., entered into an Agreement for the provision of DNA analysis services; and

WHEREAS, on July 1, 2015, CONTRACTOR changed its name from The Bode Technology Group, Inc. to Bode Cellmark Forensics, Inc.; and

WHEREAS, on August 20, 2019, COUNTY and CONTRACTOR executed Amendment No. 2 to extend the term, revise the scope of services and compensation terms; and

WHEREAS, the parties now wish to amend the Agreement to extend the term and revise compensation provisions.

NOW, THEREFORE, COUNTY and CONTRACTOR hereby agree to amend the Agreement in the manner set forth below.

TERMS

1. The term of the Agreement is hereby extended for an additional one (1) year term and shall expire on June 30, 2023. The term of the Agreement shall be automatically renewed for an additional year at the end of each fiscal year, under the terms and conditions then in effect, not to exceed two (2) additional years, unless either party gives the other party written notice of intention not to renew no less than thirty (30) days prior to the expiration of the then current term. For purposes of this Agreement, “fiscal year” shall mean the period commencing on July 1 and ending on June 30.”
2. Attachment B-1 to the Contract, BodeHITS Pricing-Additional Items, shall be replaced with Attachment B-2, attached to this Amendment No. 3 and incorporated herein by reference.
3. All other terms and conditions of the Agreement, except as amended herein, shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto executed this Amendment to the Agreement as of the date first above written.

BODE CELLMARK FORENSICS, INC.

By 
MICHAEL CARIOLA, CEO

“CONTRACTOR”

NAPA COUNTY, a political subdivision of
the State of California

By _____
RYAN GREGORY, Chair of the Board of
Supervisors

“COUNTY”

APPROVED AS TO FORM Office of County Counsel By: <u>Silva Darbinian</u> Deputy County Counsel Date: June 11, 2022	APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS Date: _____ Processed By: _____ _____ Deputy Clerk of the Board	ATTEST: NEHA HOSKINS Clerk of the Board of Supervisors By: _____
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Attachment B-2

BodeHITS – STR DNA Analysis – Batched Pricing

Item Name	Description	Price
BodeHITS DNA Analysis – <u>Community Batching</u> <u>Batches will be run twice</u> <u>per month with other</u> <u>BodeHITS Client samples.</u>	Samples submitted to be run with other samples submitted by BodeHITS program clients. Batches will be run twice per month. Batches will be initiated for processing on the 10th and 25th of each month by CONTRACTOR for all samples received on or before the above dates each month. <i>Actual dates are subject to change by CONTRACTOR with advance notification to the Client.</i> Standard 30-Day Turnaround Time once the batch is initiated.	\$165 per Sample for Swabs \$165 Surcharge if submitting evidence item (not a swab)
BodeHITS DNA Analysis – Custom Batch Submission	<u>Custom Batch Size Submission of Swabs</u> Standard 30-Day Turnaround Time	1 to 5 Samples: \$725 6 to 10 Samples: \$575 11 to 15 Samples: \$390 \$125 Surcharge if submitting evidence item (not a swab) All prices are per Sample
**DNA Analysis – Expedited Service	1 Day Turnaround Time (Samples containing semen not eligible)	Price per Sample <u>PLUS</u> \$2,100 per sample Surcharge
**DNA Analysis – Expedited Service	5 Business Day Turnaround Time	Price per Sample <u>PLUS</u> \$1,050 per sample Surcharge
**DNA Analysis – Expedited Service	10 Business Day Turnaround Time	Price per Sample <u>PLUS</u> \$785 per sample Surcharge
**DNA Analysis – Expedited Service	15 Business Day Turnaround Time	Price per Sample <u>PLUS</u> \$525 per sample Surcharge

****Expedited Service availability must be confirmed by CONTRACTOR prior to submitting evidence.**

BodeHITS - Custom Services

Item Name	Description	Price
BodeHITS Rapid Upload: Automated	Bode to create software interface to allow client to upload data from Rapid DNA Analysis. Data will automatically be searched against the Client's database and results of the search will be updated in the software.	\$0 per sample
BodeHITS Rapid Consulting/ Review	Bode review of Rapid DNA raw data that does not automatically pass as a qualified sample for upload to the BodeHITS database	\$350 per hour
HIT Report - signed	HIT Report with Statistics signed and reviewed by a DNA Analyst	\$275 per Report
Discovery/ CODIS Packet	"Standard Materials" documentation of a sample for litigation purposes.	\$275 per Case
Custom One-Time Search	Custom Search of a Mixture or Custom Profile into the Database. Search is a one-time event. (HIT Match Report not included in Search Fee)	\$100
Expert Witness Testimony – Onsite	Onsite Expert Witness Testimony	\$1,300 First day \$2,150 Additional Day Plus Travel Expenses
Expert Witness Testimony – Video	Video Expert Witness Testimony	\$350 per Hour
***CODIS Upload	CODIS Laboratory's CODIS upload fee	\$325 per Case

***Fees subject to change in the event the CODIS laboratory's fees change. CONTRACTOR will pass through costs for CODIS upload.

BodeHITS – Additional Products (Optional)

Item Name	Description	Price
Known Sample Submission Envelopes	Submission envelopes to collect and document Known Samples.	\$175 per case of 500 envelopes
Presumed Known Sample Submission Envelopes	Submission envelopes to collect and document Presumed Known Samples.	\$175 per case of 500 envelopes
Evidence Sample Submission Envelopes	Submission envelopes to collect and document Evidence Samples.	\$175 per case of 500 envelopes
BodeHITS Pouches	BodeHITS collection pouches can be used by investigators to store envelopes, barcodes, and collection devices.	\$10 Each
Bode SecurSwab 2	Product ID# P13D04	\$339.73 per case of 100
Bode SecurSwab 2 with Barcodes	Product ID# P13D05	\$373.83 per case of 100
Bode SecurSwab DUO-V with Barcodes	Product ID# P10D15	\$418 per case of 100
Bode SecurSwab 2 Collection Kit for Crime Scenes	Product ID# P13D77	\$187.38 per case of 25
DNA Collector Transport Pouches	Product ID# P01D43	\$30.69 per case of 100
Water vials – 3mL	Product ID# P08D75	\$55.19 per case of 100