

1 RESOLUTION NO. 2023-011

**First Reading Passage Requested**

2  
3 SPONSOR Executive Shapiro

**(D. Matz)**

4  
5 DATE January 30, 2023

COMMITTEE Public Safety

6  
7 **A Resolution authorizing the Executive to execute a Laboratory Master Services**  
8 **Agreement with National Medical Services, Inc., dba NMS Labs, for a period of 2/1/23 to**  
9 **12/31/23, and approving the pricing list for said services for the Agreement, for the offices**  
10 **of the Sheriff and Prosecutor, and declaring an emergency.**

11  
12 WHEREAS, for approximately 20 years the Medical Examiner’s Office has offered local  
13 law enforcement agencies testing services for investigations relating to operation of a motor  
14 vehicle while under the influence of alcohol or drugs, however, due to the current need for  
15 advanced equipment in the comprehensive testing for a variety of drug analogs the Medical  
16 Examiner’s Office can no longer offer this service, but has reached out to laboratories that could  
17 offer this testing; and

18  
19 WHEREAS, the Executive recommends the laboratory services of National Medical  
20 Services, Inc. dba NMS Labs, which has provided reduced prices for anticipated testing  
21 requested by the County and other local law enforcement agencies and the Executive seeks  
22 Council approval for the price list for said services, a copy of which is attached to this Resolution  
23 as Exhibit A and incorporated herein as if fully restated; and

24  
25 WHEREAS, NMS Labs will provide the testing kits, shipping packages, testing, portal  
26 access, results and expert testimony as needed; and

27  
28 WHEREAS, NMS Labs is a Best Practical Source pursuant to Sections 177.01(h)(4)D.  
29 and 177.07(a)(5) of the Codified Ordinances of the County of Summit because they have a  
30 working relationship with the Medical Examiner’s Office and NMS Labs has a strong  
31 understanding of County and Medical Examiner’s Office policies and procedures; and

32  
33 WHEREAS, the Board of Control, at its meeting held on January 25, 2023, awarded a  
34 Laboratory Master Services Agreement with NMS Labs, as a Best Practical Source, for a period  
35 of 2/1/23 to 12/31/23, and approved the pricing list for said services for the Agreement; and

36  
37 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
38 that the aforementioned Laboratory Master Services Agreement with NMS Labs is necessary and  
39 in the best interest of the County of Summit;

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41 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
42 of Ohio, that;

43  
44 SECTION 1

45  
46 The award by the Board of Control of a Laboratory Master Services Agreement with  
47 National Medical Services, Inc., dba NMS Labs, as a Best Practical Source, is hereby confirmed  
48 and the Executive is hereby authorized to execute said Laboratory Master Services Agreement in  
49 substantially the same form as Exhibit A, a copy of which is attached to this Resolution and  
50 incorporated herein as if fully restated, together with any revisions thereto as are not materially  
51 adverse to the County and any other necessary related documents.  
52

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2 PAGE TWO

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4 SECTION 2

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6 This Resolution is declared an emergency in the interest of the health, safety, and welfare  
7 of the residents of the County of Summit, and for the further reason that it immediately provides  
8 for the laboratory services to be used in investigations undertaken by the Sheriff's Office and  
9 prosecutions by the Prosecutor's Office.

10

11 SECTION 3

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13 Provided this Resolution receives the affirmative vote of eight members, it shall take  
14 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
15 effect and be in force at the earliest time provided by law.

16

17 SECTION 4

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19 It is found and determined that all formal actions of this Council concerning and relating  
20 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
21 deliberations of this Council and any of its committees that resulted in such formal action, were  
22 in meetings open to the public, in compliance with all legal requirements, including Section  
23 121.22 of the Ohio Revised Code.

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25

26 INTRODUCED January 30, 2023

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28 ADOPTED \_\_\_\_\_

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32 CLERK OF COUNCIL

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35 APPROVED \_\_\_\_\_

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38 EXECUTIVE

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PRESIDENT OF COUNCIL

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ENACTED EFFECTIVE