



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2013 MAY 16 PM 4:05 **AGENDA REPORT**

**TO:** DEANNA J. SANTANA  
CITY ADMINISTRATOR

**FROM:** Osborn K. Solitei

**SUBJECT:** Duty and Practice Ammunition  
Contract Award

**DATE:** April 19, 2013

City Administrator  
Approval

Date

5/16/13

**COUNCIL DISTRICT:** City-Wide

### **RECOMMENDATION**

Staff recommends that the City Council approve the resolution authorizing the City Administrator to award contracts to San Diego Police Equipment, a non-local business, in an amount not to exceed four hundred twenty four thousand, four hundred twelve dollars and eighty-one cents (\$424,412.81) and to Adamson Police Products, a non-local business, in an amount not to exceed eighty thousand, two hundred seventy eight dollars and fifty cents (\$80,278.50) per year for the contract period of July 1, 2013 to June 30, 2016, to provide duty and practice ammunition to the City of Oakland, in accordance with Specification No. 13-680-04/Request For Quote (RFQ) No. 4449.

### **OUTCOME**

The City will award purchase order contracts to San Diego Police Equipment for \$424,412.81 and Adamson Police Products for \$80,278.50 per year for the contract period of July 1, 2013 to June 30, 2016, to provide duty and practice ammunition for use by the Oakland Police Department.

### **BACKGROUND/LEGISLATIVE HISTORY**

Specification No. 13-680-04/RFQ No. 4449 to provide duty and practice ammunition was sent to six non-local business enterprises pursuant to Oakland Municipal Code (OMC) 9.20 and 9.36, there are no ammunition dealers in the City of Oakland. Purchasing advertised this requirement in the City's official newspaper in accordance with Oakland Municipal Code (OMC) 2.04.050, and posted on the City's web site. On February 25, 2013, the City received four bids from non-local business enterprises. Based on the information provided in response to RFQ 4449, San Diego Police Equipment and Adamson Police Products were deemed the lowest responsible bidders.

Item:

**5**

Finance and Management Committee

May 28, 2013

## ANALYSIS

This equipment is required by the Oakland Police Department to conduct mandated training with its officers and in performance of their duties to protect and serve the citizens of Oakland.

Training mandates are driven by the following:

- The Negotiated Settlement Agreement Independent Monitoring Team (IMT)- compliance with required training identified in the reform provision tasks or reports
- Department General Orders
- California Commission of Peace Officer Standards and Training (POST)
- Federal statute (42 U.S.C. Section 1983) and case decisions (i.e., Monell v. City of New York Department of Social Services and Monroe v. Pape) can hold individuals and municipal governments liable if deliberate indifference can be proven by not providing adequate training.
- Case decisions-
  - Harris v. City of Canton- training needs to be provided
  - Popow v. City of Margate- realistic training has to be conducted

Training requirements include on-going firearms training and qualification for the following:

- In-service members
- Trainees in the basic academy
- Trainees in the lateral academy
- Tactical team members
- Schools (i.e., SWAT, Patrol Rifle Program)
- Testing and evaluation of firearms

Thousands of repetitions are necessary to establish a base line level of proficiency in firearms training. Experience has shown that proficiency will automatically begin to degrade once training is stopped and is recognized by POST as a "perishable skill". Unsatisfactory results can be predicted when training is inadequate. To maintain acceptable levels of proficiency, frequent training needs to be conducted.

The Department issues duty ammunition to its officers to protect and serve the citizens of Oakland. It is currently an industry standard for agencies to provide duty and practice ammunition to its members.

**PUBLIC OUTREACH/INTEREST**

This item did not require any additional public outreach other than the required posting on the City's website and the City's official newspaper.

**COORDINATION**

Purchasing worked with the Oakland Police Department Training Division, Budget Office and City Attorney's Office.

**COST SUMMARY/IMPLICATIONS**

1. ANNUAL AMOUNT OF RECOMMENDATION/COST OF PROJECT: \$504,691.31
2. COST ELEMENTS OF AGREEMENT/CONTRACT:

Duty and Practice Ammunition – San Diego Police Equip.	\$389,369.55
Sales Tax	\$35,043.26
Duty and Practice Ammunition – Anderson Police Products	\$73,650.00
Sales Tax	\$6,628.50
ANNUAL TOTAL AGREEMENT/CONTRACT AMOUNT	\$504,691.31
3. SOURCE OF FUNDING: 1.1010.103430.52913.0000000.PS09 - \$ 504,691.31
4. FISCAL IMPACT:

Funds will be encumbered by the requesting department and are available in the General Purpose Fund (1010), the Police Training Unit Organization (103430), Police Training Program (PS09) and Technical Supplies Account (52913).

**SUSTAINABLE OPPORTUNITIES**

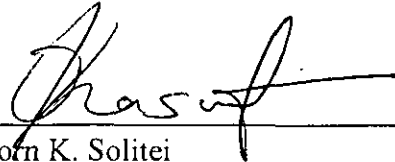
***Economic:*** Both vendors have valid City of Oakland business tax licenses. The award of these contracts will yield approximately \$609.80 per year in business tax revenues to the City of Oakland.

***Environmental:*** No environmental impacts have been identified.

***Social Equity:*** No social equity opportunities have been identified.

For information regarding this report, please contact Jimmie Jackson at 238-7563.

Respectfully submitted,



Osborn K. Solitei  
Controller

Reviewed by:  
Gregoria M. Torres, Assistant Controller

Prepared by:  
Jimmie D. Jackson, Purchasing Supervisor

CITY OF OAKLAND  
 Controller's Office, Purchasing Section  
 AWARD RECOMMENDATION STATEMENT



F. HALIBURTON		PURCHASING/ACQUISITION/CONTRACT: Duty and Practice Ammunition	
COUNCIL AGENDA DATE: May 28, 2013	SPECIFICATION/PROJECT NO.:	FUNDING SOURCE:	BID OPENING DATE:
	SPEC. NO. 13-680-04 RFQ NO. 4449	General Purpose Fund Account (1010), the Police Training Unit Organization (103430), Police Training Program (PS09) and Supplies Account (52912).	FEBRUARY 25, 2013
	PREVIOUS LEGISLATION: RESOLUTION NO.		
CONTRACT PERIOD: July 1, 2013 to June 30, 2016			

PURPOSE STATEMENT: PROVIDE DUTY AND PRACTICE AMMUNITION TO THE OAKLAND POLICE DEPARTMENT AS REQUESTED. FOR A THREE (3) YEAR PERIOD.

ITEM NO./DESCRIPTION	ESTIMATED COST	ACTUAL COST	PERCENT DIFFERENCE
Duty Ammunition Items# 1-6	75,000.00	65,350.69	-12.87%
Practice Ammunition Items# 7-11	480,000.00	442,813.27	-7.75%

COMMENTARY: The recommended vendors are San Diego Police Equipment a corporation and Adamson Police Products a corporation. There are no additional costs to the City.

**RANGE OF BIDS RECEIVED**

TOTAL BIDS RECEIVED/DOLLAR RANGE \$504,691.31 to \$539,946.77	BIDS WHICH MEET SPECIFICATION/DOLLAR RANGE \$504,691.31 to \$539,946.77
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**LOW BIDS NOT MEETING SPECIFICATION**

VENDOR/CONTRACTOR	REASON	RECOMMENDATION ON REJECTIONS

**AWARD RECOMMENDED**

VENDOR NAME/ADDRESS	DESCRIPTION	AMOUNT
San Diego Police Equipment 8205-A Ronson Rd. San Diego, CA 92111	Duty and Practice Ammunition	\$424,412.81
Adamson Police Products 3286 Arden Rd. Hayward, CA 94545	Duty and Practice Ammunition	\$80,278.50

SUBMITTED BY

APPROVED AND FORWARDED TO COUNCIL

DEPARTMENT HEAD

OFFICE OF THE CITY ADMINISTRATOR

BID CALL	TOTAL	LOWEST BID BY CATEGORY	
		LOCAL BUSINESS	NON-LOCAL
ASK	6	0	6
NO RESPONSE	2	0	2
BIDS RECEIVED	4	0	4
AWARDS RECOMMENDED	2	0	2-504,691.31

BID RECAP

VENDOR INFORMATION

Vendor Name  
Vendor Address  
Contact Person  
Telephone  
Small local vendor ?  
Oakland vendor ?

BIDDER # 1

BIDDER # 2

BIDDER # 3

BIDDER # 4

SAN DIEGO POLICE EQUIP.	L C ACTION POLICE SUPPLY	ADAMSON POLICE PRODUCTS	PROFORCE
SAN DIEGO, CA	SAN JOSE, CA	HAYWARD	PRESGOTT, A2
RYAN KING	KIP MILLER	VIJAY MAHARAJ	JAKE SANOMAN
800-367-8659	408-294-2677	510-723-0643	800-367-5555
no	no	no	no
no	no	no	no

PURCHASE DESCRIPTION

Item #	Item	quant	unit cost	total	unit cost	total				
1	Duty Ammunition per specification 9mm Pistol	15000	\$ 0.313500	\$ 4,702.50	\$ 0.310380	\$ 4,655.70	<b>\$ 0.290000</b>	<b>\$ 4,350.00</b>	\$ 0.324730	\$ 4,970.95
2	Duty Ammunition Per Specification-.40 Pistol	70000	\$ 0.302900	\$ 21,203.00	\$ 0.268240	\$ 18,776.80	<b>\$ 0.330000</b>	<b>\$ 23,100.00</b>	\$ 0.280650	\$ 19,645.50
3	Duty Ammunition Per Specification-.45 Pistol	15000	\$ 0.349800	\$ 5,247.00	\$ 0.330930	\$ 4,963.95	<b>\$ 0.360000</b>	<b>\$ 5,400.00</b>	\$ 0.346240	\$ 5,193.60
4	Duty Ammunition Per Specification-.33 +P Revolver	2500	<b>\$ 0.324100</b>	<b>\$ 810.25</b>	\$ 0.010000	\$ 25.00	\$ 0.350000	\$ 875.00		\$ -
5	Duty Ammunition Per Specification-.223/S.S6mm	20000	\$ 1.092000	\$ 21,840.00	\$ 0.565260	\$ 11,305.20	<b>\$ 0.690000</b>	<b>\$ 13,800.00</b>	\$ 0.591400	\$ 11,828.00
6	Duty Ammunition Per Specification-12 ga	28000	<b>\$ 0.431600</b>	<b>\$ 12,084.80</b>	\$ 0.450150	\$ 12,604.20	\$ 0.350000	\$ 9,800.00	\$ 0.470970	\$ 13,187.16
7	Practice Ammunition Per Specification-9mm Pistol	125000	<b>\$ 0.184100</b>	<b>\$ 23,012.50</b>	\$ 0.208630	\$ 26,078.75	\$ 0.210000	\$ 26,250.00	\$ 0.218280	\$ 27,285.00
8	Practice Ammunition Per Specification-.40 Pistol	1250000	<b>\$ 0.215200</b>	<b>\$ 269,000.00</b>	\$ 0.227130	\$ 283,912.50	\$ 0.220000	\$ 275,000.00	\$ 0.237630	\$ 297,037.50
9	Practice Ammunition Per Specification-.45 Pistol	100000	\$ 0.271100	\$ 27,110.00	\$ 0.253850	\$ 25,385.00	<b>\$ 0.270000</b>	<b>\$ 27,000.00</b>	\$ 0.265590	\$ 26,559.00
10	Practice Ammunition Per Specification-.223/S.S6mm	240000	<b>\$ 0.307000</b>	<b>\$ 73,680.00</b>	\$ 0.318600	\$ 76,464.00	\$ 0.350000	\$ 84,000.00	\$ 0.333330	\$ 79,999.20
11	Practice Ammunition Per Specification-.308	15000	<b>\$ 0.718800</b>	<b>\$ 10,782.00</b>	\$ 0.621780	\$ 9,326.70	\$ 0.800000	\$ 12,000.00	\$ 0.650540	\$ 9,758.10

\*BOLD INDICATES WINNING PRICE

CALCULATIONS

SUBTOTAL	\$ 359,386.55	\$ 473,497.80	\$ 73,650.00	\$ 495,364.01
Sales Tax	\$ 35,043.26	\$ 42,814.80	\$ 8,628.50	\$ 44,582.76
SMALL LOCAL VENDOR	\$ -	\$ -	\$ -	\$ -
OAKLAND VENDOR	\$ -	\$ -	\$ -	\$ -
EVALUATION TOTAL	<b>\$ 424,412.81</b>	<b>\$ 516,112.60</b>	<b>\$ 80,278.50</b>	<b>\$ 539,946.77</b>

GRAND TOTAL FOR PURCHASE

**\$ 424,412.81**

\$ 516,112.60

**\$ 80,278.50**

\$ 539,946.77

REQUIRED APPROVALS

Insurance  
Business Tax  
OCIS  
Duplication

date verified	verified by

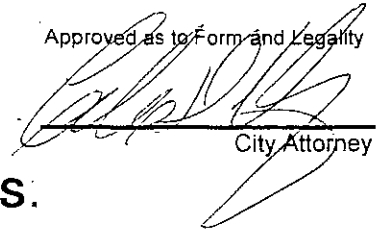
F. Haliburton  
PREPARED BY

Administrative Services  
AGENCY / DEPARTMENT

BUYER  
TITLE

Purchasing  
DIVISION

3/18/2013  
DATE



City Attorney

2013 MAY 16 PM 4:05 RESOLUTION NO. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AWARDING CONTRACTS TO SAN DIEGO POLICE EQUIPMENT, A CORPORATION, IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED TWENTY FOUR THOUSAND, FOUR HUNDRED TWELVE DOLLARS AND EIGHTY-ONE CENTS (\$424,412.81) AND TO ADAMSON POLICE PRODUCTS, A CORPORATION, IN AN AMOUNT NOT TO EXCEED EIGHTY THOUSAND, TWO HUNDRED SEVENTY-EIGHT DOLLARS AND FIFTY CENTS (\$80,278.50) PER YEAR FOR THE CONTRACT PERIOD OF JULY 1, 2013 TO JUNE 30, 2016, TO PROVIDE DUTY AND PRACTICE AMMUNITION, TO THE CITY OF OAKLAND IN ACCORDANCE WITH SPECIFICATION NO. 13-680-04/REQUEST FOR QUOTE (RFQ) NO. 4449 AND THE GENERAL CONDITIONS THEREFOR ON FILE IN PURCHASING ACCORDING TO ITS BID FILED WITH THE CITY ON FEBRUARY 25, 2013.**

**WHEREAS**, four bids to provide duty and practice ammunition were submitted in response to the advertised Specification No. 13-680-04/RFQ No. 4449 and opened on February 25, 2013; and

**WHEREAS**, the bids submitted by San Diego Police Equipment and Adamson Police Products meets all of the requirements contained in Specification No. 13-680-04/RFQ No. 4449 and are the lowest, responsive, responsible bids; and

**WHEREAS**, the bids submitted by Proforce and L C Action met the minimum specification but were not the lowest bid in response to Specification No. 13-680-04/RFQ No. 4449; and

**WHEREAS**, Funds will be encumbered by the requesting department and are available in the General Purpose Fund (1010), the Police Training Unit Organization (103430), Police Training Program (PS09) and Technical Supplies Account (52913); now be it

**RESOLVED:** That a contract for the purchase of duty and practice ammunition be awarded to San Diego Police Equipment, in an amount not to exceed four hundred twenty seven thousand, three hundred thirty-three dollars and eight cents (\$424,412.81) per year for the contract period of July 1, 2013 to June 30, 2016 in accordance with Specification No. 13-680-04/RFQ No. 4449 and the general conditions therefor on file with Purchasing according to its bids submitted on February 25, 2013; and be it

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FINANCE & MANAGEMENT CMTTE

MAY 28 2013

**FURTHER RESOLVED**, That a contract for the purchase of duty and practice ammunition be awarded to Adamson Police Products, in an amount not to exceed eighty thousand, eight hundred thirty dollars and eighty-eight cents (\$80,278.50) per year for the contract period of July 1, 2013 to June 30, 2016 in accordance with Specification No. 13-680-04/RFQ No. 4449 and the general conditions therefor on file with Purchasing according to its bids submitted on February 25, 2013; and be it

**FURTHER RESOLVED**, That the City Council hereby rejects all other bids submitted in response to RFQ No. 4449; and be it

**FURTHER RESOLVED**, That the contract shall be approved for form and legality by the City Attorney and copies shall be on file in the City Clerk's Office.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON-MCELHANEY, KALB, KAPLAN, REID, SCHAAF AND PRESIDENT KERNIGHAN .

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

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FINANCE & MANAGEMENT CMTTE

MAY 28 2013