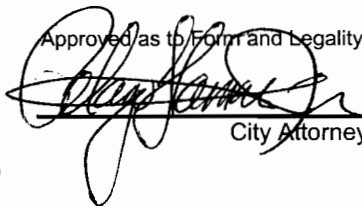


FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 JUN 11 PM 8:06

OAKLAND CITY COUNCIL

RESOLUTION No. 82125 C.M.S.

Approved as to Form and Legality

City Attorney

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HIS DESIGNEE, ON BEHALF OF THE CITY OF OAKLAND TO 1) WAIVE THE COMPETITIVE REQUEST FOR PROPOSALS (RFP) PROCESS, AND 2) ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH NATIONAL MEDICAL SERVICES (NMS) FOR THE PERIOD OF JULY 1, 2009 THROUGH JUNE 30, 2011 IN AN AMOUNT NOT TO EXCEED FORTY NINE THOUSAND NINE HUNDRED AND NINETY-NINE DOLLARS (\$49,999) FOR FORENSIC TESTING

WHEREAS, the Police Department has used National Medical Service (NMS) as its forensic testing service provider since 2002. Since that time NMS has effectively provided forensic testing services such as, analysis of blood and urine samples recovered as evidence in different investigations; and

WHEREAS, NMS is the only forensic laboratory with a local contractor capable of providing the Department with accredited testing of blood and urine samples recovered as evidence in a variety of criminal investigations; and

WHEREAS, several Divisions within the Police Department, including Traffic Operations, Criminal Investigations, Criminalistics, and Patrol Divisions, use the services provided by NMS; and

WHEREAS, the Oakland Police Department laboratory is unable to perform the required scope of services, and NMS is the only private toxicology lab in the area that can provide the scope of services we are requesting; and

WHEREAS, the Police Department has funding in the amount of \$49,999 for said services in its FY 09-11 budget appropriation in the General Purpose Fund (1010), Project (0000), Traffic Administration (101380), Miscellaneous Contract (54919); now, therefore be it

RESOLVED: That pursuant to Oakland Municipal Code 2.04.051.B and information set forth in the agenda report accompanying this item, the City Council finds and determines that it is in the City's best interests to dispense the competitive request for proposal/qualifications process for forensic testing services; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator, or his designee, to enter into a two-year professional services agreement with National Medical Services (NMS) for the period of July 1, 2009 through June 30, 2011, in an amount not to exceed \$49, 999 for forensic testing services; and be it

FURTHER RESOLVED: That funding in the amount of \$49,999 for said services is available in the Department’s FY09-11 budget appropriation, and rests in the General Purpose Fund (1010), Project (0000), Traffic Administration (101380), Miscellaneous Contract (54919); and be it

FURTHER RESOLVED: That the City Administrator or his designee is authorized to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend this agreement for services, except for any increase in the contract amount without returning to the City Council; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve said extended agreement with Managed Health Network, as to form and legality and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 7 2009, 20


PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and
PRESIDENT BRUNNER - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: 

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California