

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

Annalis Soto
City Attorney

RESOLUTION NO. 84041 C.M.S.
2012 AUG 30 AM 11:36
Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO:

- 1) ENTER INTO A GRANT ADMINISTRATION AGREEMENT WITH THE U.S. DEPARTMENT OF JUSTICE, NATIONAL INSTITUTE OF JUSTICE (USDOJ/NIJ) FOR DISTRIBUTION OF FISCAL YEAR 2012 FORENSIC CASEWORK DNA BACKLOG REDUCTION GRANT PROGRAM FUNDS;
- 2) ACCEPT AND APPROPRIATE USDOJ/NIJ GRANT FUNDS IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED AND EIGHT THOUSAND TWO HUNDRED AND NINETY FIVE DOLLARS (\$408,295.00) FOR IMPLEMENTATION OF THE FISCAL YEAR 2012 FORENSIC CASEWORK DNA BACKLOG REDUCTION GRANT PROGRAM IN THE POLICE DEPARTMENT FOR THE PERIOD OF OCTOBER 1, 2012 THOUGH MARCH 31, 2014;
- 3) ENTER INTO CONTRACTS FOR THE PURCHASE OF DNA TYPING SUPPLIES WITH THE FOLLOWING VENDORS: LIFE TECHNOLOGIES IN THE AMOUNT OF FIFTEEN THOUSAND SIX HUNDRED DOLLARS (\$15,600.00); VWR/FISHER IN THE AMOUNT OF TWO THOUSAND THREE HUNDRED SEVENTY DOLLARS (\$2,370.00), QIAGEN/AURORA IN THE AMOUNT OF TWELVE THOUSAND SEVEN HUNDRED DOLLARS (\$12,700.00), AND PROMEGA IN THE AMOUNT OF EIGHT THOUSAND SEVEN HUNDRED DOLLARS (\$8,700.00);
- 4) WAIVE THE ADVERTISING AND COMPETITIVE BIDDING REQUIREMENTS FOR THE PURCHASES OF DNA TYPING SUPPLIES IN THE PROPOSED CONTRACTS WITH LIFE TECHNOLOGIES, VWR/FISHER, QIAGEN/AURORA AND PROMEGA.

WHEREAS, grant funds in an amount of \$408,295.00 were awarded by the U.S. Department of Justice, National Institute of Justice (USDOJ/NIJ) to support the Police Department's (OPD) fiscal year 2012 implementation of the Forensic Casework DNA Backlog Reduction Program; and

WHEREAS, the Forensic Casework DNA Backlog Reduction Program grant award must be accepted by September 16, 2012; and

WHEREAS, the Forensic Casework DNA Backlog Reduction Program was created to assist criminalistic laboratories in reducing the number of cases in their backlog in which DNA analyses may be conducted on biological evidence; and

WHEREAS, the Forensic Casework DNA Backlog Reduction Program grant funds will be used to offset costs to the OPD's Criminalistic's Division, Forensic Biology unit; and

WHEREAS, the funds will be allocated to continue funding the positions of one Criminalist and one Forensic Technician, to pay staff overtime on backlogged cases, to purchase laboratory validated DNA typing supplies in the amounts identified in the attached report, and to provide continuing maintenance contracts on equipment essential to the work of OPD's Forensic Biology Unit; and

WHEREAS, the grant term for the proposed initiative is October 1, 2012 through March 31, 2014; and

WHEREAS, the City Council previously authorized acceptance of similar grant funds by Resolution No. 83672 C.M.S. dated December 15, 2011, Resolution No. 83030 C.M.S., dated October 19, 2010, Resolution No. 82291 C.M.S., dated September 22, 2009, Resolution No. 81624 C.M.S., dated October 21, 2008, Resolution No.80869 C.M.S., dated October 2, 2007, Resolution No. 80129 C.M.S., dated September 19, 2006, Resolution No. 79534 C.M.S., dated October 18, 2005, and Resolution No. 78909 C.M.S., dated November 16, 2004; and

WHEREAS, Oakland Municipal Code ("OMC") Section 2.04.050.1.5 permits Council to waive the advertising and competitive bidding requirements upon a finding that it is in the best interests of the City to do so; and

WHEREAS, staff recommends that it is in the best interests of the City to waive the advertising and bidding processes because purchasing DNA supplies from vendors other than those who manufacture DNA kits currently used by the Crime Lab would not be effective due to incompatibility; now therefore be it

RESOLVED, That the City Council authorizes the City Administrator or her designee to enter into a grant administration agreement with the U.S. Department of Justice, National Institute of Justice (USDOJ/NIJ) for distribution of Fiscal Year 2012 Forensic Casework DNA Backlog Reduction Grant Program funds to be used to offset costs to OPD's Criminalistic's Division, Forensic Biology unit; and be it

FURTHER RESOLVED, That the City Council authorizes the City Administrator or her designee to accept and appropriate USDOJ/NIJ grant funds in an amount not to exceed \$408,295.00 for implementation of the fiscal year 2012 Forensic Casework Backlog reduction grant program for the period of October 1, 2012 through March 31, 2014; and be it

FURTHER RESOLVED, That said grant funds shall be maintained in the Federal Grant Fund (2112), Criminalistics Division Org. (102610), Criminalistics Division Program (PS05), in a Project Number to be established; and be it

FURTHER RESOLVED, That said grant funds shall be used to continue to fully fund one (1) Criminalist Position, one (1) Forensic Technician position to conduct examination of biological material during the term of the grant, October 1, 2012 – March 31, 2014; and be it

FURTHER RESOLVED, That said grant funds shall be used to pay overtime and required training to Forensic Biology Unit staff for analysis on backlogged cases during the grant period, October 1, 2012 – March 31, 2014; and be it

FURTHER RESOLVED, That said grant funds shall be used to purchase laboratory validated DNA typing supplies utilized in the examination of biological material during the terms of the grant period, October 1, 2012 – March 31, 2014, and be it

FURTHER RESOLVED, That said grant funds shall be used to continue funding existing maintenance contracts for upkeep of equipment essential to the work of OPD's Forensic Biology Unit during the terms of the grant period, October 1, 2012 – March 31, 2014; and be it

FURTHER RESOLVED, That the City Administrator is authorized to enter into contracts for the purchase of laboratory validated DNA typing supplies from Life Technologies in the amount of \$15,600.00, from VWR/Fisher in the amount of \$2,370.00, from Qiagen/Aurora in the amount of \$12,700.00, and from Promega in the amount of \$8,700.00; and be it

FURTHER RESOLVED, That the City Council finds that pursuant to OMC Section 2.04.050.1.5, for the reasons stated above and in the City Administrator's

report accompanying this resolution, that it is in the best interests of the City to waive the advertising and competitive bidding requirements for the products to be purchased under the proposed contracts with Life Technologies, VWR/Fisher, Qiagen/Aurora, and Promega, and so waives the requirements; and be it

FURTHER RESOLVED, That the City Administrator or her designee is hereby authorized to complete all required negotiations, certifications, assurances and documentation required to accept, modify, extend and/or amend the grant award.

FURTHER RESOLVED, That the City Attorney shall review and approve any agreement(s) authorized by this resolution as to form and legality and copies of said agreement(s) shall be filed with the Office of the City Clerk.

OCT 02 2012

IN COUNCIL, OAKLAND, CALIFORNIA, _____

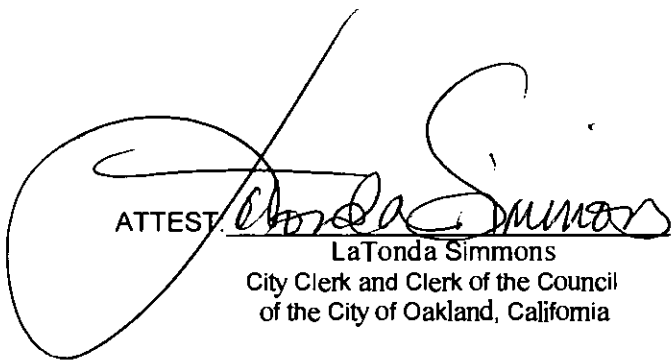
PASSED BY THE FOLLOWING VOTE:

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

NOES - 0

ABSENT - 0

ABSTENTION - 0

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