



 City Attorney

 FILED
 OFFICE OF THE CITY CLERK
 OAKLAND

2015 OCT 29 PM 2:27

OAKLAND CITY COUNCIL

 RESOLUTION No. 85899 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO 1) ACCEPT AND APPROPRIATE GRANT FUNDS IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED SEVENTY FOUR THOUSAND TWO HUNDRED EIGHTY TWO DOLLARS (\$474,282.00) FROM THE U.S. DEPARTMENT OF JUSTICE, NATIONAL INSTITUTE OF JUSTICE (USDOJ/NIJ) FOR IMPLEMENTATION OF THE FISCAL YEAR 2015-2016 FORENSIC CASEWORK DEOXYRIBONUCLEIC ACID (DNA) BACKLOG REDUCTION GRANT PROGRAM IN THE OAKLAND POLICE DEPARTMENT (OPD); AND 2) WAIVE THE ADVERTISING AND COMPETITIVE BIDDING REQUIREMENTS FOR THE PURCHASES OF DNA DATA INTERPRETATION SOFTWARE TRAINING FOR THIRTY THOUSAND DOLLARS (\$30,000), DNA TYPING SUPPLIES FOR SEVENTY ONE THOUSAND ONE HUNDRED TWENTY EIGHT DOLLARS (\$71,128), AND FOR A DNA EXTRACTION ROBOT FOR FIFTY FIVE THOUSAND FIVE HUNDRED THIRTY ONE DOLLARS (\$55,531.00) IN ORDER TO SATISFY ACCREDITATION STANDARDS.

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

WHEREAS, the USDOJ/NIJ awarded OPD grant funds of Four Hundred Seventy Four Thousand Two Hundred Eighty Two Dollars \$474,282 to support the Fiscal Year 2015-2016 implementation of the DNA Backlog Reduction Program; and

WHEREAS, the funds will be allocated to continue to employ one (1) Criminalist I and one (1) Forensic Technician, pay staff overtime costs and required training on backlogged cases, purchase laboratory validated DNA-typing supplies, and purchase a DNA extraction robot; and

WHEREAS, the USDOJ/NIJ does not allow for grant funds to be used for overhead costs and therefore the General Purpose Fund will contribute twenty seven thousand three hundred five dollars (\$27,305) to cover City of Oakland central service overhead costs based on the CSO rate of 15.36%; and

WHEREAS, the OPD Crime Lab will use the grant funds to purchase DNA Typing Supplies in an amount of \$29,995 from Applied Biosystems, \$18,000 from Promega and \$23,133 from QIAgen; one DNA extraction robot for an amount of \$55,531 from QIAgen, STRmix DNA data interpretation software training for an amount of \$30,000 from Niche Vision, twelve professional meeting and workshop registrations for the Forensic Biology Unit scientists for an amount of \$7,770 and the associated travel and lodging costs of \$9,732; and

WHEREAS, the grant term for the proposed DNA backlog reduction initiative is January 1, 2016 through December 31, 2018; and

WHEREAS, the City Council previously authorized acceptance of similar grant funds by Resolution No. 85223 C.M.S., dated October 21, 2014, Resolution No. 84686 C.M.S., dated November 5, 2013, Resolution No. 84041 C.M.S., dated October 2, 2012; 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 authorizes the City Council to waive the advertising and competitive bidding requirements of OMC Section 2.04.050 after a finding and determination that it is in the best interests of the City to do so; and

WHEREAS, staff recommends that the City Council make a finding and a determination that it is in the best interests of the City to waive advertising and bidding processes because these specific DNA supplies and services are available only from specified vendors who have been validated by the OPD Criminalistics Laboratory Forensic Biology Unit and are in compliance with FBI DNA Quality Assurance Standards (QAS). The FBI DNA QAS must be followed in order for the laboratory to enter DNA profiles developed from evidence associated with crimes into the CODIS for searching; now, therefore be it

RESOLVED: That the City Council hereby authorizes the City Administrator, or designee, to accept and appropriate grant funds in an amount not to exceed \$474,282 from the USDOJ/NIJ upon receipt of the grant award letter; and be it

FURTHER RESOLVED: That all central services overhead costs associated with this grant in an estimated amount of \$27,305 will be offset through a contribution of the General Purpose Fund; and be it

FURTHER RESOLVED: That said grant funds, in an amount not to exceed \$474,282, shall be appropriated in the Federal Grant Fund (2112), Criminalistics Division Organization Code (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 fully fund one (1) Criminalist I position and one (1) Forensic Technician position to conduct examination of biological material during the term of the grant; and be it

FURTHER RESOLVED: That said grant funds shall also be used to pay overtime of Biology Unit staff for analysis on backlogged cases; and be it

FURTHER RESOLVED: That said grant funds shall also be used to fund DNA training courses, purchase laboratory validated DNA typing supplies utilized in the examination of biological material and a DNA extraction robot used during the terms of the grant from Applied BioSystems (a.k.a. ThermoFisher), QIAgen, VWR/Fisher/USA Scientific, Aurora Biomed, Niche Vision, and Promega; and be it

FURTHER RESOLVED: That the City Council finds and determines that pursuant to OMC Section 2.04.050.1.5 and based upon 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 of the OMC for the purchases of DNA typing supplies from Applied BioSystems (a.k.a. ThermoFisher), QIAgen, VWR/Fisher/USA Scientific, Aurora Biomed, Niche Vision, and Promega; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, NOV 17 2015²⁰

PASSED BY THE FOLLOWING VOTE:

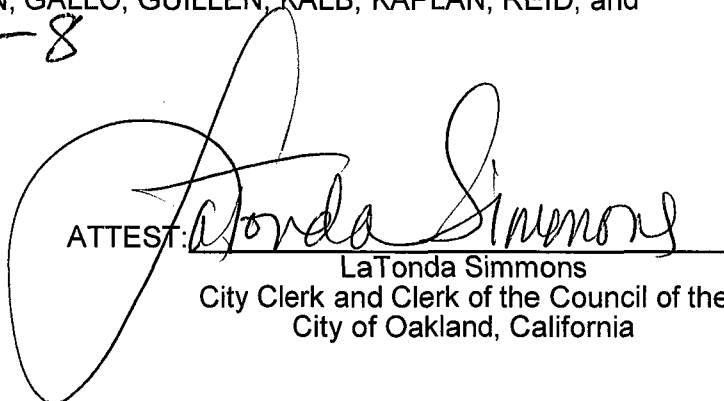
AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and
PRESIDENT GIBSON MCELHANEY - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



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

85899 CMS