

REVISED

2011 DEC 15 PM 12:30

OAKLAND CITY COUNCIL

A. Macaulay
City Attorney

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO 1) ACCEPT AND APPROPRIATE GRANT FUNDS IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED FORTY-THREE THOUSAND TWO HUNDRED AND ONE DOLLARS (\$443,201.00) FROM THE U.S. DEPARTMENT OF JUSTICE, NATIONAL INSTITUTE OF JUSTICE (USDOJ/NIJ) FOR IMPLEMENTATION OF THE FISCAL YEAR 2011 FORENSIC CASEWORK DNA BACKLOG REDUCTION GRANT PROGRAM IN THE POLICE DEPARTMENT FOR THE PERIOD OCTOBER 1, 2011 THROUGH MARCH 31, 2013, AND APPROVE THE 3% CAP ON CENTRAL SERVICES OVERHEAD CHARGES AS ALLOWED BY THE GRANTING AGENCY, AND 2) WAIVE THE ADVERTISING AND COMPETITIVE BIDDING REQUIREMENTS FOR THE PURCHASES OF DNA TYPING SUPPLIES IN THE AMOUNT OF \$25,200.00 FROM APPLIED BIOSYSTEMS, IN THE AMOUNT OF \$7,410.00 FROM QIAGEN, AND IN THE AMOUNT OF \$5,800.00 FROM PROMEGA

WHEREAS, grant funds in an amount not to exceed \$443,201.00 were awarded by the U.S. Department of Justice, National Institute of Justice to support the Police Department's fiscal year 2011 implementation of the Forensic Casework DNA Backlog Reduction Program; and

WHEREAS, approval for three percent (3%) of the Central Services Overhead, the maximum allowed by the grantor, is requested; and

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

WHEREAS, the funds will be allocated to hire and train one Criminalist I and one Forensic Technician, to pay staff overtime on backlogged cases, and to purchase laboratory validated DNA typing supplies, an ultrapure water filtration system, and a laboratory glassware sterilizer in the amounts identified in the attached report; and

WHEREAS, the grant term for the proposed initiative is October 1, 2011 through March 31, 2013; and

WHEREAS, the City Council previously authorized acceptance of similar grant funds by 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 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 hereby authorizes the City Administrator or her designee to accept grant funds in an amount not to exceed \$443,201.00 from the U.S. Department of Justice, National Institute of Justice and to increase revenues and appropriate said budget to the Police Department and approve the cap of three percent (3%) of the Central Services Overhead; 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 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 be used to pay overtime and required training to Biology Unit staff for analysis on backlogged cases; 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 from Applied Biosystems in the amount of \$25,200.00, from Qiagen in the amount of \$7,410.00, and from Promega in the amount of \$5,800.00; 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 in the amount of \$25,200.00 from Applied Bioystems, in the amount of \$7,410.00 from Qiagen, and in the amount of \$5,800.00 from 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

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

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