

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

D. Macaulay
City Attorney

RESOLUTION No. 83673 C.M.S.

2011 DEC -1 PM 5:20

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 FIVE HUNDRED FOURTEEN THOUSAND FOUR HUNDRED FORTY FOUR DOLLARS (\$514,444) FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, NATIONAL INSTITUTE OF JUSTICE TO THE OAKLAND POLICE DEPARTMENT FOR THE DELIVERY OF TRAINING ON DNA EVIDENCE FOR INVESTIGATORS, 2) WAIVE THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATIONS PROCESS FOR THE SERVICES PROVIDED BY THE REGIONAL TRAINING CENTER IN AN AMOUNT NOT TO EXCEED THREE HUNDRED SIXTEEN THOUSAND FIFTY-EIGHT DOLLARS \$316,058, AND 3) WAIVE THE ADVERTISING AND BIDDING REQUIREMENTS FOR THE PURCHASE OF CRIME SCENE EQUIPMENT AND SUPPLIES FROM SIRCHIE IN AN AMOUNT NOT TO EXCEED FORTY-FIVE THOUSAND DOLLARS (\$45,000), FOSTER AND FREEMAN IN AN AMOUNT NOT TO EXCEED TWENTY-SIX THOUSAND DOLLARS (\$26,000), AND SAFARILAND FORENSIC SOURCE IN AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND DOLLARS (\$15,000), FOR THE PROGRAM PERIOD OCTOBER 1, 2011 THROUGH JUNE 30, 2014

WHEREAS, biological and DNA evidence has played a major role in solving cold cases, providing leads in homicide, sexual assault, and burglary cases, and identifying missing persons or unknown individuals, and;

WHEREAS, crime scene, law enforcement, criminal, and district attorney investigators each play a vital role in the collection of biological and DNA evidence recovered in such criminal cases; and

WHEREAS, a tremendous gap exists in training for law enforcement personnel who come into contact with or who utilize biological and DNA evidence as a tool during the investigation of a case; and

WHEREAS, it is anticipated that grant funds in an amount not to exceed \$514,444 will be received by the Oakland Police Department (OPD) from the U.S. Department of Justice, Office of Justice Programs, National Institute of Justice Forensic Science Training Delivery Grant Program to deliver the Peace Officer Standards and Training (POST) certified training course, titled *DNA Evidence for Investigators*; and

WHEREAS, the OPD in collaboration with the Regional Training Center (RTC) will deliver twelve, 24-hour *DNA Evidence for Investigators* courses in five Western Regional States for the purpose of training on biological and DNA evidence for investigators; and

WHEREAS, *DNA Evidence for Investigators* is a course developed with input from DNA analysts, district attorneys, crime scene personnel, and police officers on how to train criminal investigators on effective DNA uses; and

WHEREAS, the grant term for the proposed program initiative is October 1, 2011 through June 30, 2014; and

WHEREAS, the funds will be used to cover the student and non-OPD trainer travel cost, RTC services, OPD staff travel and training expenses, OPD staff overtime, and purchase equipment and supplies for the delivery of this course; and

WHEREAS, Oakland Municipal Code (“OMC”) Section 2.04.051.B. authorizes the City Council to waive the request for proposal/qualifications process of OMC Section 2.04.051.A after a finding and determination that it is in the best interests of the City to do so; and

WHEREAS, staff recommends the City Council make a finding and a determination that it is in the best interests of the City to waive the proposal/qualifications process for the consultant agreement for services provided by the Regional Training Center because RTC is the only training center familiar with the course and grant requirements and the City is mandated to enter into an agreement with RTC in order to be guaranteed the receipt of the full grant award; and

WHEREAS, Oakland Municipal Code (“OMC”) Section 2.04.050.I.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 the City Council make a finding and determination that is in the best interests of the City to waive the advertising and bidding process for goods purchased from Sirchie, Foster and Freeman, and Safariland for the reasons set out in the City Administrator’s report accompanying this resolution; and now, therefore be it

RESOLVED: that the City Council hereby authorizes the City Administrator or his designee to accept and appropriate grant funds in the amount of \$514,444 from the U.S. Department of Justice, Office of Justice Programs, National Institute of Justice; and be it

FURTHER RESOLVED: that said grant funds be maintained in the Federal Grant Fund (2112); Criminalistics Division Org. (102610); Criminalistics Program (PS05), in a Project Account to be determined; and be it

FURTHER RESOLVED: that said grant funds shall be used to cover student travel cost, RTC services, OPD and non-OPD personnel travel expenses, OPD personnel overtime, and equipment and supplies to deliver this training course; and be it

FURTHER RESOLVED: that the City Council finds and determines that pursuant to OMC 2.04.051.B 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 request for proposal/qualifications process for consultant services with the Regional Training Center and so waives the requirements; and be it

FURTHER RESOLVED: that the City Council finds and determines that pursuant to OMC 2.04.050.I.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 for the purchase of goods in an amount not to exceed \$45,000 from Sirchie, in an amount not to exceed \$26,000 from Foster and Freeman, and in an amount not to exceed \$15,000 from Safariland; and be it

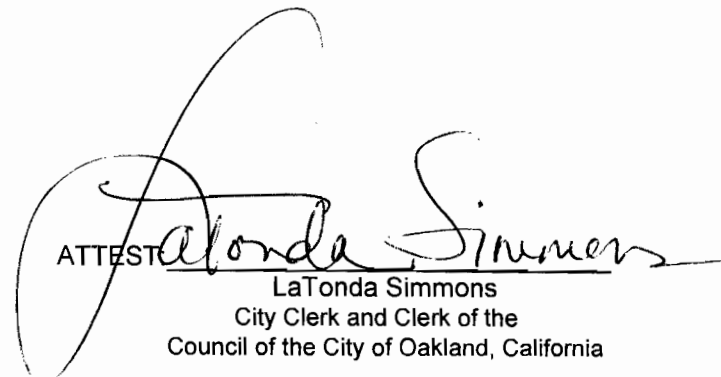
FURTHER RESOLVED: that said grant funds received for the Forensic Science Training Delivery Grant program shall not be used to supplant expenditures controlled by the City of Oakland; and be it

FURTHER RESOLVED: that the City Council hereby appoints the City Administrator as agent of the City to conduct all negotiations, applications, agreements, and related actions, which may be necessary for the completion of the aforementioned grant.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 20 2011, 20

PASSED BY THE FOLLOWING VOTE: BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, and PRESIDENT REID.

AYES- 8
NOES- 0
ABSENT- 0
ABSTENTION- 0

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