

CITY OF OAKLAND

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OAKLAND

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# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Anne E. Kirkpatrick  
Chief of Police

**SUBJECT:** Increase Advance Crime Scene  
Restoration Contract

**DATE:** May 2, 2019

City Administrator Approval

Date:

5/16/19

## RECOMMENDATION

**Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator, Or Designee, To Increase Spending Authority With Advance Crime Scene Restoration, For Removal Of Biohazards, Contaminants And Physical Hazards From City Vehicles And Property, By One Hundred Thousand Dollars (\$100,000) For A Total Contract Amount Not To Exceed Three Hundred Fifty Thousand Dollars (\$350,000) For The Contract Period Of November 1, 2017 Through October 31, 2019.**

## EXECUTIVE SUMMARY

The City of Oakland has an existing contract with Advance Crime Scene Restoration (ACSR) to remove and dispose of biohazards, contaminants and physical hazards from City vehicles and property from November 1, 2017 – October 31, 2019, for an amount not to exceed \$250,000. The Oakland Police Department (OPD) is requesting to increase the spending authority by \$100,000 for a total contract amount not to exceed \$350,000 through October 31, 2019.

## BACKGROUND / LEGISLATIVE HISTORY

Hazardous substances are defined in the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Section 101(14) and in California Code of Regulations (CCR) Title 22, Chapter 11, Article 2, Section 66261 as follows:

A hazardous material is a substance or combination of substances that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may either 1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness or 2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

In December 17, 1991 the City Council passed Resolution No. 68570 C.M.S. to support hazardous waste abatement. This Resolution provides the City Administrator sole-source purchasing authority to purchase hazardous waste removal, storage and disposal services

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without bids whenever the Police or Fire Department determine that the health and safety of the general public are in jeopardy.

### **ANALYSIS AND POLICY ALTERNATIVES**

In October 2015, OPD worked with the City Administrator's Contracts and Compliance Division to select a vendor for the removal of biohazards, contaminants and physical hazards. After a competitive bidding process, ACSR was selected. The contract was from November 1, 2015 – October 31, 2017, for \$110,000.

In October 2017, the City issued a Request for Quote (RFQ) 77410 for the removal of biohazards, contaminants and physical hazards and ACSR was selected again. The current contract is from November 1, 2017 – October 31, 2019. The initial contract amount was \$110,000; however, the contract was increased to \$250,000 in 2018 due to the high demand to remove hazardous materials. Additional spending authority is now required to maintain continuous service.

The ACSR contract is mainly used by OPD for crime scene cleaning and Oakland Public Works (OPW) for vehicle cleaning and removal of hypodermic needles and other biohazards from the public right-of-way, however, other Departments can benefit from the contract as well. OPD and OPW will work with the Purchasing Division in September/October 2019 to issue an RFQ for the removal of biohazards, contaminants and physical hazards for City vehicles and property and award a new contract to the most qualified vendor.

The removal and disposal of hazardous materials are subject to federal and state regulations. It is imperative that hazardous materials be properly removed in a timely manner. Increasing the spending authority by \$100,000 to a total amount of \$350,000 will ensure continuous service and compliance with federal and state regulations.

### **FISCAL IMPACT**

As of April 30, 2019, there are no funds available on the ACSR contract that expires October 31, 2019. With six months remaining on the contract, and an average of \$13,580 released per month, approximately \$81,480 is projected to be necessary until October 31, 2019. To provide a cushion in case of higher than usual activity, OPD is requesting to increase the spending authority by \$100,000 for a total not to exceed amount of \$350,000.

Sufficient funding exists in OPD and OPW's budget to continue to pay for the removal of biohazards, contaminants and physical hazards for City vehicles and property.

For OPD, funding will come from the General Purpose Fund (1010), IT and Fleet Division Org (106410), OPD Admin Project (1000008), Miscellaneous Services Account (53719), Agency-wide Administration Program (PS01) and OPW, funding will come from the Comprehensive Cleanup Fund (1720), Illegal Dumping Org (30674), OPW Admin Project (1000010), Miscellaneous Services Account (53719), Keep Oakland Clean & Beautiful Program (NB35).

**PUBLIC OUTREACH / INTEREST**

There was no public outreach for the preparation of this report beyond the standard City Council noticing procedures.

**COORDINATION**

This report was reviewed by the Oakland Public Works Department, Office of the City Attorney and the Budget Bureau.

**SUSTAINABLE OPPORTUNITIES**

***Economic:*** No economic opportunities are identified in this report.

***Environmental:*** Increasing ACSR contract purchase order will ensure sufficient spending authority to properly remove hazardous materials, which is beneficial for the environment.

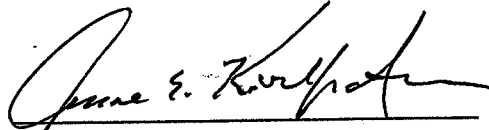
***Social Equity:*** There are no social equity opportunities associated with this report.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That City Council Adopt A Resolution Authorizing The City Administrator, Or Designee, To Increase Spending Authority For Advance Crime Scene Restoration, For Removal Of Biohazards, Contaminants And Physical Hazards From City Vehicles And Property, By One Hundred Thousand Dollars (\$100,000) For A Total Contract Amount Not To Exceed Three Hundred Fifty Thousand Dollars (\$350,000) For The Contract Period Of November 1, 2017 Through October 31, 2019.

For questions regarding this report, please contact D. Nell Wallington, Fiscal Manager, at (510) 238-3288.

Respectfully submitted,



Anne E. Kirkpatrick  
Chief of Police  
Oakland Police Department

Reviewed by:  
Bruce Stoffmacher, Acting Police Services  
Manager, OPD, Research and Planning

Prepared by:  
D. Nell Wallington, Fiscal Manager  
OPD, Fiscal Services Division

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**DRAFT**

City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**ADOPT A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO INCREASE SPENDING AUTHORITY FOR ADVANCE CRIME SCENE RESTORATION, FOR REMOVAL OF BIOHAZARDS, CONTAMINANTS AND PHYSICAL HAZARDS FROM CITY VEHICLES AND PROPERTY, BY ONE HUNDRED THOUSAND DOLLARS (\$100,000) FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED THREE HUNDRED FIFTY THOUSAND DOLLARS (\$350,000) FOR THE PERIOD OF NOVEMBER 1, 2017 THROUGH OCTOBER 31, 2019.**

**WHEREAS**, it is essential for the safety of City employees as well as members of the public that all biohazards, contaminants and physical hazards be properly removed and disposed of from City vehicles and property; and

**WHEREAS**, Resolution No. 68570 C.M.S., approved by the City Council on December 17, 1991 authorizes the sole source procurement of hazardous substance removal and disposal services whenever the health and safety of the public is deemed to be in jeopardy as determined by the Oakland Police Department (OPD) or Fire Department (OFD); and

**WHEREAS**, Oakland Municipal Code Chapter 2.04 allows for the City Administrator to contract for professional services without City Council authority for amounts up to \$250,000; and

**WHEREAS**, the City of Oakland has a contract with Advance Crime Scene Restoration (ACSR) for \$250,000 for the period of November 1, 2017 through October 31, 2019; and

**WHEREAS**, the OPD and Oakland Public Works (OPW) are expected to exceed the existing contract amount with ACSR of \$250,000 prior to the contract end date of October 31, 2019; and

**WHEREAS**, an additional \$100,000 in spending authority is necessary to ensure that hazard abatement services for OPD, OFD and OPW can continue to be performed through October 31, 2019; and

**WHEREAS**, there is sufficient budget in OPD and OPW's accounts to cover the

cost of future invoices related to the removal of biohazards, contaminants and physical hazards; therefore be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator, or designee, to increase spending authority for ACSR, for removal of biohazards, contaminants and physical hazards, by one hundred thousand dollars (\$100,000) for a total contract amount not to exceed three hundred fifty thousand dollars (\$350,000) for the period of November 1, 2017 through October 31, 2019; 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 agreement.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND  
PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

ATTEST:

\_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of the  
City of Oakland, California