



FILED
OFFICE OF THE CITY CLERK
OAKLAND

2016 JUN 17 AM 9:43

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Katano Kasaine
Paul Figueroa

SUBJECT: OPD PRIME 1.0 System Maintenance
And Support Agreement

DATE: June 14, 2016

City Administrator Approval

Date:

6/16/16

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator Or Her Designee To:

- 1. Enter Into A Premier Maintained Application (PMA) Maintenance Agreement With Microsoft Corporation To Support And Maintain The Second Generation Early Warning System For The Oakland Police Department For A Total Estimated Three-Year Cost Not To Exceed One Million Two Hundred Twenty Thousand Dollars (\$1,220,000) Of Which:**
 - a. The First Year Cost Of The PMA Will Be Three Hundred Eighty-Four Thousand Six Hundred And Forty-Four Dollars (\$384,644) To Be Appropriated From Already Budgeted Funds, and**
 - b. Years Two And Three Costs of the PMA Will Not Exceed Eight Hundred Thirty-Five Thousand Three Hundred Fifty-Six Dollars (\$856,356) To Be Funded Via the Oakland Police Department Operations And Maintenance (O&M) Budget To Be Finalized And Brought To The City Council For Approval During the City's Fiscal Year (FY) 2017-2019 Budget Process**
- 2. Waive The Advertising, Bidding and Request For Proposals/Qualifications ("RFP/Q") Competitive Selection Requirements For This Agreement (Or Agreements, If Three Separate Agreements Are Required).**

EXECUTIVE SUMMARY

In October 2014, the City Council authorized the City Administrator to award a contract to the Microsoft Corporation to design, develop and implement the Oakland Police Department's (OPD) second-generation early warning system and technology platform. Version 1.0 of this system, known as the Performance, Reporting, Information & Metrics Environment (PRIME) system, is currently scheduled to be completed and activated before the end of 2016.

Item: _____
Public Safety Committee
June 28, 2016

Given the essential nature of this system, it is crucial that the City have a level of future support and maintenance that corresponds to the mission-critical nature of PRIME itself. While OPD and the Information Technology Department (ITD) will be able to provide a certain level of basic support for PRIME, these participants will not be able to provide the more advanced support that only the systems creator (Microsoft) can provide. This three-year maintenance and support period will enable OPD and ITD staff to acclimate to the new platform and environment while being supported by Microsoft and will also provide the resources to address issues that arise as the new software is used by OPD employees.

To deliver this needed level of advanced support, Microsoft has a specialized type of support offering called a Premier Maintained Application (PMA) agreement. Microsoft and ITD have collaborated in drafting the details of a PMA that are customized to the particular needs of the City (both OPD and ITD).

BACKGROUND / LEGISLATIVE HISTORY

The Negotiated Settlement Agreement (NSA), entered into by the City of Oakland in 2003 to resolve allegations of police misconduct, requires the Oakland Police Department (OPD) to *“fully implement a computerized relational database for maintaining, integrating, and retrieving data necessary for supervision and management of OPD and its personnel.”*

In 2006, the City's Information Technology Department (ITD) built OPD the Internal Personnel Assessment System (IPAS) system to satisfy this requirement. In the decade that has since passed, IPAS has become increasingly strained as OPD has needed its functionality to be significantly enhanced beyond the original requirements. In parallel, the underlying technology has become quite outdated over the last 10 years. In 2013, ITD and OPD worked together to develop an RFP for a new system. After the completion of a competitive procurement process, the City Council approved Resolution No. 85222 C.M.S., dated October 21, 2014, authorizing the City Administrator to award a contract to Microsoft Corporation for the design, development and implementation of OPD's second generation early warning system and platform – the system and platform now known as PRIME.

The project to build PRIME started in February 2015; the initial version of the product is expected to go live by the end of 2016. The long-term plan for PRIME is to continue to refine the platform over time with new, high-value modules and functionality. OPD and ITD are already working together with Microsoft to map out requirements for a potential Phase 2 of the product – a phase which will hopefully be able to incorporate body-worn camera video and stop data analysis.

ANALYSIS AND POLICY ALTERNATIVES

Once PRIME goes live, it will immediately become a mission-critical component of the OPD information technology (IT) infrastructure. The following OPD groups or functions will be wholly reliant on PRIME for their day-to-day operations and business processes:

- Internal Affairs Department (IAD);

Item: _____
Public Safety Committee
June 28, 2016

- Personnel Assessment System Administration Unit (i.e., the group responsible for the assessment, intervention and monitoring of at-risk officers);
- Recording and analyzing uses of force across the department;
- Recording and analyzing canine deployment;
- Recording and analyzing tear gas canister distribution;
- Recording and analyzing OPD vehicle collisions;
- Recording and analyzing OPD vehicle pursuits; and
- Recording and analyzing arrests sent to the District Attorney for prosecution.

Given the mission critical nature of PRIME, ITD and OPD are already working together to define a multi-tiered approach to providing around-the-clock support for the system. For support requests concerning questions about basic functionality of the system or about technical issues involving individual computers or the City network, OPD or ITD staff will (in most cases) be able to successfully analyze and resolve the issue.

At the next level of complexity, however, support issues may arise that involve the inner, technical workings of PRIME or that involve the individual Microsoft infrastructure components of PRIME (e.g., SQL Server, Azure Government cloud, SharePoint, JPS Connect Integration Hub, JPS Connect Data Store, Express Route connection). Neither OPD nor ITD has the required in-depth technical knowledge or experience with these underlying components to provide the necessary support. Additionally, neither ITD nor OPD can provide the necessary around-the-clock support required in the possible event of system down time outside of normal business hours, but Microsoft can address all these needs.

This three-year maintenance and support period will enable OPD and ITD staff to acclimate to the new platform and environment while being supported by Microsoft and will also provide the resources to address issues that arise as the new software is used by OPD employees. For these reasons, OPD and ITD recommend entering into a PMA with Microsoft to cover escalated support issues that only Microsoft themselves are equipped to handle and to provide rapid response to any occurrences of system down time outside of normal business hours.

Waiver of RFP/Q Competitive Selection Requirements

Oakland Municipal Code "OMC" Section 2.04.050 requires advertising and competitive bidding for contracts for the purchase of supplies, equipment, and computer software and the award to the lowest responsible, responsive bidder if award is made. OMC Section 2.04.050 I.5 provides an exception to the advertising and competitive bidding requirement of the OMC upon a finding and determination by the City Council that it is in the best interests of the City to do so. Additionally, OMC section 2.04.051 requires a RFP/Q selection process for award of contracts that exceed \$25,000 for professional service contracts and which are exempt from bidding under Section 2.04.050.1.1. However, OMC sections 2.04.050.1. and 2.04.051.B permit the City Council to waive advertising, competitive bidding and the Request For Proposals/Qualifications processes upon finding that it is in the City's best interest to do so.

Staff recommends that the Council find and determine that it is in the best interest of the City to waive the advertising and competitive selection requirements for this project based on the following factors:

Item: _____
Public Safety Committee
June 28, 2016

- PRIME is not a commercial off-the-shelf software. It is specialized, custom software developed by Microsoft specifically for the City/OPD based on our detailed specifications. As such, it is not a generic software that anyone else in the country has any experience with and thus only Microsoft has the knowledge and ability necessary to provide the required level of advanced support.
- The multiple existing systems in OPD that PRIME is replacing are very outdated and at risk of failure. Time is of the essence in switching over to PRIME if the City is to ensure continuity of operations at OPD. Having a maintenance agreement in place prior to switching over to the new system is a critical prerequisite and thus it is urgent to get this agreement in place as soon as possible.
- The Microsoft contract governing the development of PRIME provides for a 90-day post-deployment period of support from Microsoft, but that period of support is contingent on a maintenance agreement having been implemented prior to deployment (this agreement). This is another factor creating a sense of urgency for authorizing this agreement with all due haste since, in one possible scenario, the new system could be deployed as early as the end of August 2016.

FISCAL IMPACT

Funding for the PMA is comprised of:

1. \$384,644 cost for the first year of the Agreement, and
2. Cost not to exceed \$856,356 for years two and three of the Agreement.

First-Year Costs: There is no further fiscal impact for the first-year cost of the Agreement as monies have already been budgeted per Resolution No. 85222 C.M.S. dated October 21, 2014 and Resolution No. 84585 C.M.S. dated July 30, 2013 in the following amounts from the following funds:

- \$64,644 from 1010.94461.52213.P467920.IP62
- \$320,000 from 5510.94461.52213.C234620.IP75

Years Two and Three Cost: To be funded via the Oakland Police Department Operations and Maintenance (O&M) budget to be finalized and brought to the City Council for approval during the City's Fiscal Year (FY) 2017-2019 budget process.

COORDINATION

In the preparation of this staff report, OPD and ITD coordinated with the City Attorney's Office and the Controller's Bureau.

SUSTAINABLE OPPORTUNITIES

Economic: There are two major economic opportunities associated with PRIME:

1. The more integrated design and underlying technology of PRIME will result in more efficient, automated and reliable workflows that will save OPD employees hundreds of hours a year compared to their current IPAS workflows.
2. PRIME may also reduce the City's exposure to potentially expensive lawsuits by identifying at-risk officer behavior before problems in their performance become a liability to the City and by then providing OPD the opportunity to intervene early with suitable additional training, coaching, monitoring or other methods of support.

The Premier Maintained Application agreement itself is vital to supporting PRIME and keeping it operational around-the-clock and thus the agreement is critical to the above economic opportunities.

Environmental: There are no known environmental issues associated with this report.

Social Equity: The use of these funds will lead to a more reliable and well-supported PRIME system which, in turn, will result in more effective supervision and monitoring of OPD staff. Identifying potential behavior problems with police officers, and conducting early and intervention techniques to address problems will ensure the City is providing the highest level of public service to the community.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator Or Her Designee To:

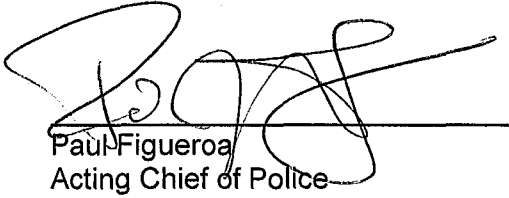
1. Enter Into A Premier Maintained Application (PMA) Maintenance Agreement With Microsoft Corporation To Support And Maintain The Second Generation Early Warning System For The Oakland Police Department For A Total Estimated Three-Year Cost Not To Exceed One Million Two Hundred Twenty Thousand Dollars (\$1,220,000) Of Which:
 - a. The First Year Cost Of The PMA Will Be Three Hundred Eighty Four Thousand Six Hundred And Forty-Four Dollars (\$384,644) To Be Appropriated From Already Budgeted Funds, and
 - b. Years Two And Three Cost of the PMA Will Not Exceed Eight Hundred Thirty Five Thousand Three Hundred Fifty Six Dollars (\$856,356) To Be Funded Via the Oakland Police Department Operations And Maintenance (O&M) Budget To Be Finalized And Brought To The City Council For Approval During the City's 2017-2019 Budget Process

Item: _____
Public Safety Committee
June 28, 2016

2. Waive The Advertising, Bidding and Request For Proposals/Qualifications ("RFP/Q") Competitive Selection Requirements For This Agreement (Or Agreements, If Three Separate Agreements Are Required).


For questions regarding this report, please contact Ahsan Baig, Division Manager, at 238-3010 or Deputy Chief Danielle Outlaw at 238-7048.

Respectfully submitted,



Paul Figueroa
Acting Chief of Police

Respectfully submitted,



Katano Kasaine
Interim Chief Information Officer

Prepared by:

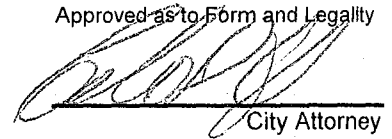
Kirke Curtis
Project Manager, Public Safety Services
Information Technology Department

Reviewed by:

Ahsan Baig
Division Manager, Public Safety Services
Information Technology Department

Danielle Outlaw
Deputy Chief
Oakland Police Department

FILED
OFFICE OF THE CITY CLERK
OAKLAND


City Attorney

2016 JUN 1 **OAKLAND CITY COUNCIL**

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO:

1. **ENTER INTO A PREMIER MAINTAINED APPLICATION (PMA) MAINTENANCE AGREEMENT WITH MICROSOFT CORPORATION TO SUPPORT AND MAINTAIN THE SECOND GENERATION EARLY WARNING SYSTEM FOR THE OAKLAND POLICE DEPARTMENT FOR A TOTAL ESTIMATED THREE-YEAR COST NOT TO EXCEED ONE MILLION TWO HUNDRED TWENTY THOUSAND DOLLARS (\$1,220,000) OF WHICH:**
 - A. **THE FIRST YEAR COST OF THE PMA WILL BE THREE HUNDRED EIGHTY FOUR THOUSAND SIX HUNDRED AND FORTY-FOUR DOLLARS (\$384,644) TO BE APPROPRIATED FROM ALREADY BUDGETED FUNDS, AND**
 - B. **YEARS TWO AND THREE COST OF THE PMA WILL NOT EXCEED EIGHT HUNDRED THIRTY FIVE THOUSAND THREE HUNDRED FIFTY SIX DOLLARS (\$856,356) TO BE FUNDED VIA THE OAKLAND POLICE DEPARTMENT OPERATIONS AND MAINTENANCE (O&M) BUDGET TO BE FINALIZED AND BROUGHT TO THE CITY COUNCIL FOR APPROVAL DURING THE CITY'S 2017-2019 BUDGET PROCESS**
2. **WAIVE THE ADVERTISING, BIDDING AND REQUEST FOR PROPOSALS/QUALIFICATIONS ("RFP/Q") COMPETITIVE SELECTION REQUIREMENTS FOR THIS AGREEMENT (OR AGREEMENTS, IF THREE SEPARATE AGREEMENTS ARE REQUIRED)**

WHEREAS, in 2006, the City's Information Technology Department (ITD) built for the Oakland Police Department (OPD) a first-generation early warning system as required by the Negotiated Settlement Agreement (NSA) – a system known as the Internal Personnel Assessment System (IPAS); and

WHEREAS, since 2006, the IPAS system has become increasingly strained as OPD has needed its functionality to be significantly enhanced beyond the original requirements; and

WHEREAS, on October 21, 2014, the City Council adopted Resolution No. 85222 C.M.S., authorizing the City Administrator to award a contract to Microsoft Corporation for the design, development and implementation of the Oakland Police Department's (OPD) second generation early warning system and platform – the system and platform now known as the Performance, Reporting, Information & Metrics Environment (PRIME); and

WHEREAS, PRIME is a mission-critical OPD information technology (IT) system central to the recording and analysis of many of the OPD's most critical operational activities such as use of force, canine deployment, tear gas canister distribution, OPD vehicle collisions, vehicle pursuits, cases sent for prosecution and personnel assessment; and

WHEREAS, PRIME is currently scheduled to go live in late 2016, and will require the expertise of PRIME's developer, Microsoft, to fully and properly support – particularly with respect to providing the ability to respond to system down time outside of normal business hours; and

WHEREAS, to deliver this needed level of advanced support, Microsoft has a specialized type of support offering called a Premier Maintained Application (PMA) agreement; and

WHEREAS, the Council finds that the services that will be needed as part of this Agreement are of a professional, scientific or technical and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

WHEREAS, OMC Section 2.04.050 requires advertising and competitive bidding for contracts when the City purchases services, supplies, equipment, and computer software or a combination thereof that exceeds \$50,000.00 and the award to the lowest responsible, responsive bidder if award is made; and

WHEREAS, OMC Section 2.04.050 I.5 provides an exception to the advertising and competitive bidding requirement of the OMC upon a finding and determination by the City Council that it is in the best interests of the City to do so; and

WHEREAS, OMC section 2.04.051 requires a competitive RFP/Q competitive selection process for award of contracts that exceed \$25,000 for professional service contracts and which are exempt from bidding under Section 2.04.050.1.1; and

WHEREAS, OMC sections 2.04.050.I and 2.04.051.B permit the City Council to waive advertising, bidding and the RFP/Q competitive selection requirements upon finding that it is in the City's best interest to do so; and

WHEREAS, staff recommends that the Council find and determine that it is in the best interest of the City to waive the RFP/Q competitive selection requirements for this project based on the fact that a) PRIME is custom software developed specifically for the City/OPD by Microsoft and thus they are the only vendor capable of providing the necessary level of advanced support, and b) the 90-day post-deployment support provided for in the original PRIME contract with Microsoft is contingent on this PMA agreement being in place; now, therefore be it

RESOLVED, that the City Council finds and determines the forgoing recitals to be true and correct and hereby adopts and incorporates them into this Resolution; and be it

FURTHER RESOLVED, that the City Council hereby authorizes the City Administrator to enter into a one-year Premier Maintained Application agreement with Microsoft Corporation in

an amount not to exceed three hundred eighty-four thousand six hundred and forty-four dollars (\$384,644) to support and maintain the second generation early warning system for the Oakland Police Department; and be it

FURTHER RESOLVED, that funding for this project in an amount not to exceed \$384,644 will be available and budgeted with \$64,644 from funds authorized under Resolution No. 85222 C.M.S. and \$320,000 from funds authorized under Resolution No. 84585 C.M.S.; and be it

FURTHER RESOLVED, that years two and three Cost shall be funded via the Oakland Police Department Operations and Maintenance (O&M) budget to be finalized and brought to the City Council for approval during the City's Fiscal Year (FY) 2017-2019 budget process; and be it

FURTHER RESOLVED, that pursuant to OMC Section 2.04.050.I.5 and Section 2.04.051.B, the Council hereby finds and determines that it is in the best interests of the City to waive formal RFP/Q competitive selection requirements for the above purchase expenditures because of the urgent and time-sensitive nature of the project and its critical role in ensuring public safety in the City, and hereby waives advertising, bidding and the RFP/Q competitive selection requirements; and be it

FURTHER RESOLVED, that the City Administrator is hereby authorized to execute any amendments or modifications to said agreements with the exception of those related to an increase in total compensation or the allocation of additional funds, and provided that such amendments or modifications shall be reviewed by the City Attorney and filed with the City Clerk's Office; and be it

FURTHER RESOLVED, that the City Administrator or her designee, is hereby authorized to enter into a one-year Agreement with Microsoft Corporation in an amount of Three Hundred Eighty-Four Thousand, Six Hundred and Forty-Four Dollars (\$384,644) to maintain the PRIME Second Generation Early Warning System for the Oakland Police Department; and be it

FURTHER RESOLVED, that the agreements shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2016

PASSED BY THE FOLLOWING VOTE:

AYES – BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KERNIGHAN, REID, AND PRESIDENT MCELHANEY

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

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