

CITY OF OAKLAND
AGENDA REPORT

2011 AUG 30 PM 2: 26

TO: Office of the City Administrator
ATTN: Deanna J. Santana
FROM: Oakland Fire Department
DATE: September 13, 2011

RE: A Resolution Authorizing The City Administrator To: 1) Apply For, Accept And Appropriate Federal Emergency Management Agency (FEMA) Funds For The Period August 1, 2011 To January 31, 2013 In The Amount Of One Million One Hundred Sixty-Seven Thousand Seventy-Eight Dollars (\$1,167,078) To Meet Continuing Management, Training And Equipment Needs Of The Fire Department's Urban Search And Rescue (USAR) Team; 2) Enter Into A Cooperative Agreement With The Federal Emergency Management Agency (FEMA) For The Period August 1, 2011 To January 31, 2013 To Provide Training To The Task Force, Respond As Requested To Local, State And National Incidents, And To Purchase Equipment To Support Our Response Capability As Directed By FEMA; 3) Waive The City's Advertising And Competitive Bidding Requirements And Authorize Procurement Of Equipment From The General Services Administration And/Or Other Government Pricing Schedules To Be Paid From The FEMA Grant; And 4) Award Said Equipment Contracts, Regardless of Price, Without Return To Council; And 5) Approve Travel For City Personnel Participating In The FEMA Cooperative Agreement Program On Short Notice

SUMMARY

The Federal Emergency Management Agency (FEMA) has been the funding source for 28 National Urban Search and Rescue (USAR) teams since the program's inception in 1990. During this period, the Oakland Fire Department has sponsored one of these teams, California Task Force 4 (CATF-4). The annual cooperative agreement award has gradually increased over time to the current level of \$1,167,078 for the coming 18 months. This amount will cover projected expenses for the acquisition, storage and maintenance of team equipment as well as training, personnel and administrative costs associated with the program. The term of the cooperative agreement begins August 1, 2011 and ends January 31, 2013. No matching funds are required.

FISCAL IMPACT

This Administrative Preparedness cooperative agreement provides funding in the amount of \$1,167,078 to staff, equip, train and support CATF-4 for disaster work, in accordance with FEMA cooperative agreement guidelines. The coding block is Federal Emergency Management

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Agency (FEMA) Fund (2124), Special Operation Division (20815), Special Operation Program (PS18), in various accounts, and project number (G364920). The revenue received from this grant will be deposited to the same fund, organization, project, and program in the FEMA Grants Revenue Account (46129).

The first-year maintenance costs on all new equipment will primarily be covered by warranties. The on-going costs of maintaining and replacing any equipment purchased under this cooperative agreement fund will either be covered by subsequent cooperative agreements or the equipment will be returned to FEMA. The spending plan has been approved by FEMA.

The funding supports the following positions

1.00 FTE	Program Coordinator (Battalion Chief)
.50 FTE	Logistics Manager, PT
1.00 FTE	Student Trainees, PT

A detailed breakdown of the FEMA approved budget is as follows:

Persomel, management and medical screening	\$457,023
Pre-existing contract for warehouse rental and cache maintenance (storage for cache)	168,359
New equipment/supplies acquisition (including purchasing fee, if any)	251,983
Training delivery (as required by FEMA, including travel expenses)	<u>289,713</u>
Total:	\$1,167,078

The Department requests permission to modify the City's travel authorization administrative instruction requirements to allow for the short notification (i.e., a few days) given by FEMA for travel, which is fully reimbursed from cooperative agreement funds.

For security reasons, FEMA requests that OFD not disclose specific details with regard to the amount and types of equipment purchased.

The cooperative agreement is subject to the requirements of the Single Audit Act of 1996, generally accepted governmental audit standards (GAGAS) and Office of Management and Budget's (OMB) circular A-133, Audits of State, Local Governments and Nonprofit Institutions.

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BACKGROUND

Since the World Trade Center disaster on September 11, 2001, Congress has taken the National USAR program and funded it to a higher level. The 28 teams have broadened their mission capabilities from the handling of natural disasters (i.e., flood, earthquakes, etc.) to include weapons of mass destruction (WMD) and terrorist incidents. In the past, CATF-4 has sent overhead personnel and/or responded with rescue teams to: Texas for Hurricane Gustav and Ike, Miami for Hurricane Wilma, Houston for Hurricane Rita, New Orleans, LA and Biloxi, MS for Hurricane Katrina, West Texas for the Challenger Shuttle disaster, New York City, NY for the World Trade Center Bombing, Oklahoma City, OK for the Federal Building bombing, and Northridge California for its earthquake.

KEY ISSUES AND IMPACTS

Oakland's USAR team must continue to equip and train as per FEMA guidelines in order to continue to be part of FEMA's national system and to continue receiving federal government funding. As all USAR teams are first and foremost a local asset, losing the team and this funding would limit staff's ability to respond to WMD and/or natural disaster incidents in Oakland or other local jurisdictions. Maintaining the team and its equipment benefits the Oakland community because in the event of a local disaster, the assets are used in the Oakland community first.

There is a great deal of equipment to be purchased to bring the cache up to a full compliment. The current value of the entire cache is in excess of \$4 million. On occasion FEMA cooperative agreement guidelines allow/require the use of government pricing schedules, so it is recommended that the City Administrator be authorized to make these purchases when necessary using the federal competitive bid process and without returning to Council. Because of the need for the equipment to be compatible to that of other USAR teams, FEMA requires that some equipment is purchased through specific vendors. Therefore, it is in the best interest of the City of Oakland to waive the advertisement and competitive bid processes and use the federal bid process in order to meet the terms of the FEMA cooperative agreement. The Task Force will use all means possible to purchase this equipment from local vendors.

In addition, the City's requirement for travel to be approved in advance is waived for travel under this agreement because of the short notice that is typical of this type of emergency response. All travel and equipment costs are fully reimbursed from Cooperative Agreement funds.

PROGRAM DESCRIPTION

The purpose of the FEMA USAR Preparedness Cooperative agreement is to allow each National

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Urban Search and Rescue Task Force the opportunity to raise its standard and condition of operational readiness as an available FEMA, State, Regional and local resource. Due to the emergency nature of the tasks that the team responds to, orders are typically given with very little notice. This means that the team activates and deploys in as little as two (2) hours.

CATF-4 has been authorized by FEMA to allocate cooperative agreement money in the following manner:

Personnel (overtime includes overhead)	\$457,023
This money covers the projected cost of one full time program manager, one full time office assistant, Part Time Student Trainees, and additional part time help as needed to manage the team and meet FEMA requirements.	
Pre-existing contract for warehouse rental	\$168,359
35 Hegenberger Place and 8135 Earhardt Rd, and cache maintenance (storage for cache management including persomel and overhead costs)	
New equipment/supplies acquisition and maintenance	\$251,983
This is for the reimbursable cost of equipment and supplies as required by FEMA	
Training Delivery and Travel (as required by FEMA) (persomel and overhead costs are included)	\$289,713
Travel specifics become known less than 30 days prior to events. This amount is based on past history and expectations. Team members attend FEMA training and working groups that require travel. FEMA specifies particular training that must be delivered to either the entire 210 member team, or members in specific job classifications.	

SUSTAINABLE OPPORTUNITIES

Economic:

CATF-4 provides opportunities to local vendors and merchants. Whenever possible, and unless otherwise directed by FEMA agreements, cooperative agreement monies are spent locally.

Environmental:

The Task Force recycles waste products and uses environmentally safe practices in the handling of the various materials used.

Social Equity:

CATF-4 is one of eight teams in California and one of 28 USAR Teams nationwide. The Oakland USAR Team will be used as a local asset in the event of a local natural disaster, accident or terrorist attack. If the team is needed in Oakland or surrounding communities, it will respond to local needs first. CATF-4 would be taken out of consideration for national deployment if needed locally.

DISABILITY AND SENIOR CITIZEN ACCESS

With this continued funding, the Task Force will be better prepared to respond to the City of Oakland's needs in a time of emergency. Many lives will be saved due to rapid response with sophisticated equipment designed to detect and extricate victims, especially those who would have difficulty "self-rescuing" in times of disaster.

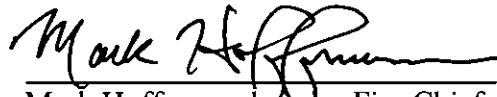
RECOMMENDATIONS AND RATIONALE

CATF-4 responds to national disasters when called to activate. In addition, the team can be utilized as a local asset in the event of a large-scale disaster in the Oakland community or surrounding areas. Maintaining the team is essential to Oakland's emergency preparedness. Therefore, staff recommends that the City Council approve the resolution.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution authorizing the City Administrator to: 1) apply for, accept and appropriate Federal Emergency Management Agency (FEMA) funds for the period August 1, 2011 to January 31, 2013 in the amount of one million one hundred sixty-seven thousand seventy-eight dollars (\$1,167,078) to meet continuing management, training and equipment needs of the Fire Department's Urban Search And Rescue (USAR) team; 2) enter into a cooperative agreement with the Federal Emergency Management Agency (FEMA) for the period August 1, 2011 to January 31, 2013 to provide training to the Task Force, respond as requested to local, state and national incidents, and to purchase equipment to support our response capability as directed by FEMA; 3) waive the City's advertising and competitive bidding requirements and authorize procurement of equipment from the General Services Administration and/or other government pricing schedules to be paid from the FEMA grant; and 4) award said equipment contracts, regardless of price, without return to Council; and 5) approve travel for City personnel participating in the FEMA cooperative agreement program on short notice.

Respectfully submitted,

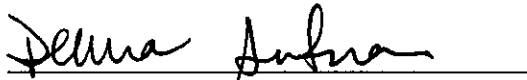


Mark Hoffmann, ~~Interim~~ Fire Chief
Oakland Fire Department

Reviewed by:
Anne Campbell Washington, Chief of Staff/Assistant to
the Director

Prepared by:
John Weir, Battalion Chief, Urban Search and Rescue

APPROVED AND FORWARDED TO THE
PUBLIC SAFETY COMMITTEE:


Office of the City Administrator

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OAKLAND CITY COUNCIL


City Attorney

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO:

- 1) **APPLY FOR, ACCEPT AND APPROPRIATE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FUNDS FOR THE PERIOD AUGUST 1, 2011 TO JANUARY 31, 2013 IN THE AMOUNT OF ONE MILLION ONE HUNDRED SIXTY SEVEN THOUSAND SEVENTY-EIGHT DOLLARS (\$1,167,078) TO MEET CONTINUING MANAGEMENT, TRAINING AND EQUIPMENT NEEDS OF THE FIRE DEPARTMENT'S URBAN SEARCH AND RESCUE (USAR) TEAM;**
- 2) **ENTER INTO A COOPERATIVE AGREEMENT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR THE PERIOD AUGUST 1, 2011 TO JANUARY 31, 2013 TO PROVIDE TRAINING TO THE TASK FORCE, RESPOND AS REQUESTED TO LOCAL, STATE AND NATIONAL INCIDENTS, AND TO PURCHASE EQUIPMENT TO SUPPORT OUR RESPONSE CAPABILITY AS DIRECTED BY FEMA;**
- 3) **WAIVE THE CITY'S ADVERTISING AND COMPETITIVE BIDDING REQUIREMENTS AND AUTHORIZE PROCUREMENT OF EQUIPMENT FROM THE GENERAL SERVICES ADMINISTRATION AND/OR OTHER GOVERNMENT PRICING SCHEDULES TO BE PAID FROM THE FEMA GRANT;**
- 4) **AWARD SAID EQUIPMENT CONTRACTS, REGARDLESS OF PRICE, WITHOUT RETURN TO COUNCIL;**
- 5) **APPROVE TRAVEL FOR CITY PERSONNEL PARTICIPATING IN THE FEMA COOPERATIVE AGREEMENT PROGRAM ON SHORT NOTICE**

WHEREAS, the Oakland Fire Department is the Sponsoring Agency for the California Task Force 4 (CATF-4), an Urban Search and Rescue (USAR) Team which includes members of 16 Local Participating Fire Agencies including: Alameda Fire Department, Alameda County Fire Department, Berkeley Fire Department, Monterey County Regional Fire District, Contra Costa County Fire Protection District, Emeryville Fire Department, Fremont Fire Department, Livermore Pleasanton Fire Department, Moraga-Orinda Fire District, Marin County Fire Department, Novato Fire Protection District, Parks Reserve Forces, Salinas Fire Department, San

Ramon Valley Fire Protection District, Santa Rosa Fire Department, and Seaside Fire Department; and

WHEREAS, California Task Force 4 (CATF-4) is one of eight California and 28 national USAR teams trained to respond to possible weapons of mass destruction (WMD) events, as well as natural disasters; and

WHEREAS, the Federal Emergency Management Agency (FEMA), a component of the Department of Homeland Security (DHS), is the federal management agency for this program and supports all 28 USAR teams with federal cooperative agreements; and

WHEREAS, CATF-4 is eligible to apply for a FEMA preparedness cooperative agreement program grant in the amount of one million one hundred sixty seven thousand and seventy eight dollars (\$1,167,078) for weapons of mass destruction (WMD) response and operational readiness, preparedness training, personnel and equipment; and

WHEREAS, FEMA has approved this funding to support the following positions:

1.00 FTE	Program Coordinator
.50 FTE	Logistics Manager, PT
1.00 FTE	Student Trainees, PT; and

WHEREAS, FEMA has approved this funding to support the rental costs for a storage site; and

WHEREAS, the coding block is Federal Emergency Management Agency (FEMA) Fund (2124), Special Operation Division (20815), Special Operation Program (PS18), in various accounts, and project number (G364920) and the revenue received from this grant will be deposited to the same fund, organization, project, and program in the FEMA Grants Revenue account (46129); and

WHEREAS, this FEMA Program Grant requires the City to provide training to members of CATF-4, respond as requested to local, state and national incidents, and to procure and store equipment as directed by FEMA in a fully reimbursed and cost-neutral manner; and

WHEREAS, Oakland Municipal Code Section 2.04.050.A requires staff to advertise and solicit competitive bids and make lowest-price-based awards for goods, and Oakland Municipal Code Section 2.04.050.I.5 authorizes the City Council to waive such requirements, upon a finding that it is in the best interests of the City; and

WHEREAS, when necessary this FEMA program grant requires the City to purchase equipment from various General Service Administration (GSA) and other governmental purchasing schedules in order to maintain consistency in training and equipment among the jurisdictions participating in the state and national USAR Teams. At all other times, the City of Oakland purchasing methodology is used to purchase equipment; and

WHEREAS, staff recommends that the City Administrator be authorized to award the contracts for goods without return to Council since these are government cooperative purchases, with vendors selected from government established vendor lists, and it would expedite the purchasing process; and

WHEREAS, this FEMA program grant requires the City to send Oakland Fire Department firefighters and other personnel from other jurisdictions to do FEMA required business, training or response activities on short notice; and

WHEREAS, CATF-4 is available to the City of Oakland in the event of an attack within the City or surrounding communities or occurrence of a local natural disaster; now, therefore be it

RESOLVED, That the Oakland City Council, hereby authorizes the City Administrator to apply for, accept and appropriate Federal Emergency Management Agency (FEMA) cooperative agreement program grant for the period August 1, 2011 to January 31, 2013 in the amount of one million one hundred sixty seven thousand seventy eight dollars (\$1,167,078) to be used for the continued expenses of the Oakland Fire Department's Urban Search and Rescue Team as they equip and train to respond to natural disasters or weapons of mass destruction incidents; and be it

FURTHER RESOLVED, That the City Administrator is authorized to enter into a cooperative agreement with FEMA for the period August 1, 2011 to January 31, 2013 to respond to FEMA requests for aid when disaster strikes in other jurisdictions and maintain equipment and training requirements in compliance with the grant terms; and be it

FURTHER RESOLVED, That the City Council hereby authorizes the City Administrator, for timeliness and security reasons, to authorize City personnel participating in the FEMA cooperative agreement program to travel on short notice per FEMA directives; and, be it

FURTHER RESOLVED, That, pursuant to Oakland Municipal Code Title 2, Chapter 2.04, Section 2.04.050.1.5, the City Council hereby finds that it is in the best interests of the City to waive Oakland's advertising and competitive bidding requirements for the purchase of equipment needed for the CATF-4/USAR team training and preparedness because the cooperative agreement is contingent on procurement of said equipment from the General Service Administration and/or other governmental purchasing schedules; and be it

FURTHER RESOLVED, That the City Council hereby authorizes the City Administrator, for timeliness and security reasons, to procure cooperative agreement program-funded equipment needed for the USAR team without return to Council; and, be it

FURTHER RESOLVED, That all contracts issued hereunder shall be reviewed and approved by the office of the City Attorney for form and legality and copies shall be placed on file in the Office of the City Clerk.

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