

2010 JUN 10 PM 1:33

CITY OF OAKLAND
AGENDA REPORT

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Oakland Fire Department
DATE: June 22, 2010

RE: Resolution Authorizing The City Administrator to 1) Apply For, Accept And Appropriate Federal Emergency Management Agency (FEMA) Funds For The Period May 01, 2010 To August 31, 2011 In The Amount Of One Million Forty One Thousand Nine Hundred Dollars (\$1,041,900) 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 May 01, 2010 To August 31, 2011 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 Agency 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

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. The City of Oakland Fire Department (OFD) has been home to the California Task Force 4 (CATF-4) for many years. For the period of May 1, 2010 through August 31, 2011, OFD has the opportunity to continue sponsoring the CATF-4 team. The annual Cooperative Agreement award has gradually increased over time to the current level of \$1,041,900 for the coming 16 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 cooperative agreement period runs from May 1, 2010 through August 31, 2011. The grant does not have a matching funds requirement.

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FISCAL IMPACT

This Administrative Preparedness Cooperative Agreement of \$1,041,900.00 is 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 Agency (FEMA) Fund (2124), Special Operations Division (20815), Special Operations Program (PS18), in various accounts and a project to be determined. The revenue received from this grant will be deposited to the same fund, organization, project, program and the FEMA Grants Revenue Account (46130).

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 agreement also funds a Program Manager, a part-time Logistics Manager and a Management Intern. There is no impact to the General Fund.

The proposed spending plan, which is subject to some modification in accordance to FEMA guidelines and demand for the team is as follows:

Personnel (overtime includes overhead)	\$459,048
The projected cost of staff necessary to manage the team and meet FEMA requirements.	

Pre-existing contract for warehouse rental and cache maintenance	\$205,771
Storage for cache management including personnel and overhead costs.	

New equipment/supplies acquisition and maintenance	\$198,465
Funds equipment and supplies as required by FEMA	

Training Delivery and Travel (as required by FEMA)	\$178,616
Personnel and overhead costs are included.	
This amount is based on past history and expectations.	

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.

The grant is managed by the Deputy Chief of Operations and the grant funded Program Manager. The grant period is May 1, 2010 through August 31, 2011.

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 existing 28 USAR 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

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overhead personnel and/or responded with rescue teams to: Texas for Hurricanes Gustav and Ike, Miami for Hurricane Wilma, Houston for Hurricane Rita, New Orleans and Biloxi for Hurricane Katrina, West Texas for the Challenger Shuttle disaster, New York City for the World Trade Center bombing, Oklahoma City for the Federal Building bombing, and Northridge for the Southern California earthquake.

KEY ISSUES AND IMPACTS

The purpose of the FEMA USAR Preparedness Cooperative agreement is to allow each National 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. Unless Oakland's USAR team continues to equip and train in accordance with FEMA guidelines they will not be a part of FEMA's national system and will lose federal government funding. This would have a negative impact on our ability to respond to a large scale disaster in the Oakland community since all USAR teams are first and foremost a local asset and the equipment and facilities used by the team are FEMA assets.

There is a great deal of equipment to be purchased to bring the cache up to a full complement. The current value of the entire cache is in excess of \$4 million. The Task Force will use all means possible to purchase this equipment from local vendors. Due to the need for equipment to be compatible with that of other USAR teams, FEMA cooperative agreement guidelines require using government pricing schedules and/or specific vendors. Again, there are short deadlines associated with many of these requests, so it is essential to the success of the team that the City Administrator be authorized to make these purchases when necessary using the federal competitive bid process instead of the City of Oakland advertising and bid processes, without returning to Council.

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. Furthermore, 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. 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. Therefore, it is in the best interest of the City of Oakland to waive the advertisement and bid processes and use the federal bid process in order to meet the terms of the FEMA cooperative agreement. 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.

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.

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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.

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 the rapid response with sophisticated equipment to detect and extricate victims, especially those who would have difficulty to "self rescue" in times of disaster.

RECOMMENDATION 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 event in the Oakland community or surrounding area. Maintaining the team is essential to Oakland's emergency preparedness. Therefore, staff recommends that the City Council approve the resolution.

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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 of May 01, 2010 to August 31, 2011 in the amount of \$1,041,900 to meet continuing management, training and equipment needs of the Fire Department's USAR Team; 2) enter into a cooperative agreement with FEMA for the period of May 01, 2010 to August 31, 2011 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 Agency 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.

Respectfully submitted,

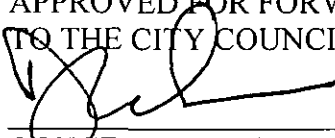


Gerald A. Simon
Fire Chief

Reviewed by: Nina S. Morris, Asst to the Director
Office of the Fire Chief

Prepared by: Mark Hoffmann, Deputy Chief
USAR/Operations

APPROVED FOR FORWARDING
TO THE CITY COUNCIL



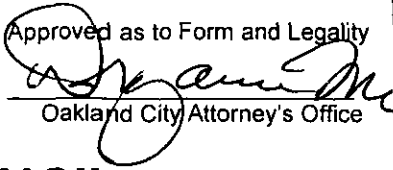
OFFICE OF THE CITY ADMINISTRATOR

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FILED
OFFICE OF THE CITY CLERK
OAKLAND

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Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO:

- 1) APPLY FOR, ACCEPT AND APPROPRIATE A GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) IN THE AMOUNT OF ONE MILLION FORTY ONE THOUSAND NINE HUNDRED DOLLARS (\$1,041,900) TO MEET CONTINUING MANAGEMENT, TRAINING AND EQUIPMENT NEEDS OF THE FIRE DEPARTMENT'S URBAN SEARCH AND RESCUE (USAR) TEAM, AND
- 2) ENTER INTO A COOPERATIVE AGREEMENT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR THE PERIOD MAY 01, 2010 TO AUGUST 31, 2011 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, AND
- 3) WAIVE THE CITY'S COMPETITIVE BIDDING REQUIREMENTS AND AUTHORIZE PROCUREMENT OF EQUIPMENT FROM THE GENERAL SERVICES ADMINISTRATION AGENCY AND OR OTHER GOVERNMENT PRICING SCHEDULES, AND
- 4) AWARD EQUIPMENT CONTRACTS WITHOUT RETURN TO COUNCIL

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 consists of members from 16 Local Participating Fire Agencies including: Alameda Fire Department, Alameda County Fire Department, Berkeley Fire Department, Carmel Valley Fire Protection 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 is one of 8 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; and

WHEREAS, FEMA 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 thousand nine hundred ten dollars (\$1,041,900) for WMD response and operational readiness, preparedness training, personnel and equipment; and

WHEREAS, as a condition of the FEMA grant, the City is required to enter into a cooperative agreement with FEMA under which it will maintain equipment, staffing and training as necessary to respond to natural disasters or weapons of mass destruction incidents in other jurisdictions as directed by FEMA; and

WHEREAS, FEMA has approved this funding to support staffing which consists of a Program Manager, a part-time Logistics Manager and a Management Intern

WHEREAS, the coding block is Federal Emergency Management Agency (FEMA) Fund (2124), Special Operation Division (20815), Special Operation Program (PS18), in various accounts and a project to be determined, and the revenue received from this grant will be deposited to same fund, organization, project, program and the FEMA Grants Revenue account (#46130); 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, upon a finding that it is in the best interests of the City, to waive such requirements; and

WHEREAS, when necessary this FEMA program grant requires the City to purchase equipment from various General Service Administration Agency (GSA) and/or other Governmental Purchasing Schedules in order to maintain consistency in training and equipment among the jurisdictions participating in the state and national USAR Teams. And at all other times 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, California Task Force 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 a Federal Emergency Management Agency cooperative agreement program grant for the period May 01, 2010 to August 31, 2011 in the amount of one million forty one thousand nine hundred dollars (\$1,041,900) 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 May 01, 2010 to August 31, 2011 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, pursuant to Oakland Municipal Code Title 2, Chapter 2.04, Section 2.04.050.I.5, the City Council hereby finds that it is in the best interests of the City to waive Oakland's competitive bidding requirements for the purchase of equipment needed for the USAR team training and preparedness because the cooperative agreement is contingent on procurement of said equipment from the General Service Administration Agency (GSA) 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 the all contracts issued hereunder shall be reviewed and approved by the office of the City Attorney for form and legality and a copies shall be placed in file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2010

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID
AND PRESIDENT BRUNNER

NOES -
ABSENT -
ABSTENTION -

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California