

FILED
OFFICE OF THE CLERK
OAKLAND**OAKLAND CITY COUNCIL**
City Attorney2012 SEP 13 RESOLUTION No. 84058 C.M.S.**RESOLUTION:**

1) **AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH SHOTSPOTTER, INC. FOR THE PERIOD OF SEPTEMBER 1, 2012 THROUGH AUGUST 31, 2013 IN AN AMOUNT NOT TO EXCEED THREE-HUNDRED AND FORTY-EIGHT THOUSAND DOLLARS (\$348,000) FOR AN EXPANSION IN SERVICE AREA COVERAGE OF THE SHOTSPOTTER GUNSHOT DETECTION SYSTEM; AND 2) WAIVING THE COMPETITIVE REQUEST FOR PROPOSALS/QUALIFICATIONS (RFP/Q) PROCESS, THE ADVERTISING AND BIDDING REQUIREMENTS, AND LOCAL AND SMALL BUSINESS ENTERPRISE PROGRAMS (L/SLB) PROVISIONS FOR THE PROPOSED PROFESSIONAL SERVICES AGREEMENT WITH SHOTSPOTTER, INC.**

WHEREAS, on October 4, 2011, City Council, by Resolution No. 83580 C.M.S., authorized the Oakland Police Department (OPD) to enter into a Professional Services Agreement with ShotSpotter Inc. (ShotSpotter), for an annual fee of \$84,000 per year. This current contract for maintenance on the existing Shotspotter technology system expires October 20, 2012; and

WHEREAS, During the Fiscal Year 2012-13 Adopted Midcycle Budget, City Council approved the expansion of the system and associated cost of \$264,000 per year to be allocated for this program. This proposed expansion in service coverage, if executed, will mean ShotSpotter technology will be implemented and activated so as to cover an additional six square miles of the City. Specifically the proposed expansion will include two (2) square miles in North Oakland and four (4) square miles in the Fruitvale District; and

WHEREAS, ShotSpotter is the only vendor proven to have time tested technology that has been independently tested and proven by the US Department of Justice (US/DOJ) on two separate occasions (1998 and 2006) in a "real-world" environment. No other gunshot detection system has survived even one US/DOJ-sponsored test, let alone two tests; and

WHEREAS, OPD and other City Staff have interviewed representatives from seven (7) other municipal or county governments that have used ShotSpotter's gunshot detection system including, Brockton, MA, East Palo Alto, CA, Nassau County NY, Rochester NY, Richmond CA, San Francisco CA, and Los Angeles CA, to assess Shotspotter's performance track record; and

WHEREAS, OPD and other City staff have determined that ShotSpotter is the only contractor which has demonstrated an ability to implement a gunshot detection system capable of providing the gunshot detection system coverage as will be required by the proposed new agreement with the City of Oakland; and

WHEREAS, Oakland Municipal Code section 2.04.051.B permits the Council to waive the request for proposal/qualifications (“RFP/Q”) requirements upon a finding that it is in the best interest of the City to do so; and

WHEREAS, Oakland Municipal Code section 2.04.050.1.5 permits the Council to waive the advertising and bidding requirements upon a finding that it is in the best interest of the City to do so; and

WHEREAS, staff recommends that it is in the best interests of the City to waive the RFP/Q process, advertising and bidding requirements, and the local and small local business enterprise program process and provisions so that the Oakland Police Department can enter into a professional services agreement with ShotSpotter to provide gunshot detection location, analysis, and forensic testimony to the City; and

WHEREAS, Council appropriated \$264,000 to the Oakland Police Department General Purpose Fund (1010) budget for the purpose of the proposed ShotSpotter expansion and on August 27, 2012, The Oakland Housing Authority Board of Commissioners authorized the Oakland Housing Authority to enter into an agreement with the Oakland Police Department and to contribute funding in the amount of \$225,000 over the next two years to offset the cost of the ShotSpotter expansion; now, therefore be it

RESOLVED: That the City Council hereby authorizes the City Administrator, or her designee, to enter into a Professional Services Agreement with ShotSpotter Inc. (ShotSpotter), for the period of September 1, 2012 through August 31, 2013 in an amount not to exceed \$348,000, for the expansion of the City’s ShotSpotter gunshot detection system as well as to fund the current ShotSpotter technology system in use in the City, with two one (1) year options to extend the proposed agreement. Such options to extend the agreement are contingent upon the availability of funding; and be it

FURTHER RESOLVED: That pursuant to Oakland Municipal Code sections 2.04.051.B and 2.04.051.1.5, for the reasons stated above and in the City Administrator’s report accompanying this resolution, that it is in the City’s best interests to waive the advertising and bidding requirements and the request for RFP/Q process for the products and services to be purchased under this proposed contract and so waives such requirements; and be it

FURTHER RESOLVED: That funds are available in the Oakland Police Department’s operating budget; General Purpose Fund (1010), Organization Police Information Technology (106410), Account Miscellaneous Contract Services (54919), Project ShotSpotter (P459310), and Program Agencywide Administration(PS01) and upon agreement, the Oakland Housing Authority will contribute \$225,000 to offset the cost of the ShotSpotter expansion; and be it

FURTHER RESOLVED: that the City Council hereby waives the Local and Small Local Business Enterprise Program (L/SLB) Provisions for the proposed contract with Shotspotter Inc.; and be it

FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to complete all required negotiations, certifications, assurances, and documentation required to

accept, modify, extend and/or amend the proposed agreement with ShotSpotter Inc.; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve said proposed Professional Services Agreement with ShotSpotter Inc., as to form and legality and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk.

OCT 02 2012

IN COUNCIL, OAKLAND, CALIFORNIA, _____

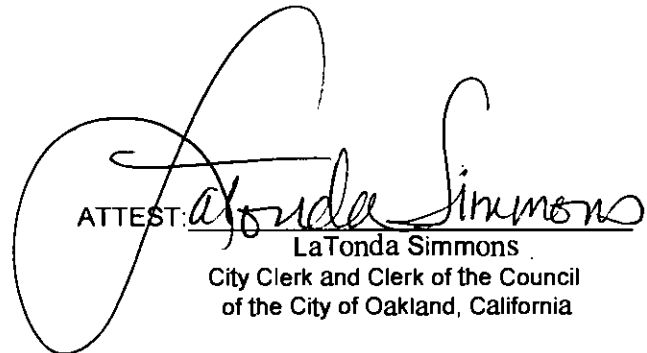
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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