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Approved as to Form and Legality

  
City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. 85222 C.M.S.

### A RESOLUTION:

1. **AWARDING A CONTRACT TO MICROSOFT CORPORATION IN AN AMOUNT OF TWO MILLION TWO HUNDRED THOUSAND DOLLARS (\$2,200,000) FOR THE DESIGN, DEVELOPMENT, AND IMPLEMENTATION OF THE OAKLAND POLICE DEPARTMENT'S SECOND GENERATION EARLY WARNING SYSTEM AND TECHNOLOGY PLATFORM ("IPAS2") PROJECT, AND**
  
2. **AUTHORIZING:**
  - (A) **THE CITY ADMINISTRATOR TO AWARD CONTRACTS UP TO A TOTAL AMOUNT OF ONE MILLION, FORTY-FIVE THOUSAND DOLLARS (\$1,045,000) TO PURCHASE HARDWARE, SOFTWARE AND PROFESSIONAL SERVICES TO BUILD THE IPAS2 PROJECT INFRASTRUCTURE WITHOUT RETURN TO COUNCIL, CONTINGENT ON COUNCIL AUTHORIZATION OF THE APPROPRIATION DESCRIBED BELOW; AND**
  - (B) **THE APPROPRIATION OF AN ADDITIONAL AMOUNT OF EIGHT HUNDRED AND EIGHTY SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$887,500) TO BE USED TO PURCHASE HARDWARE, SOFTWARE AND PROFESSIONAL SERVICES FOR THE IPAS2 PROJECT; AND**
  - (C) **WAIVING THE CITY'S ADVERTISING, BID AND REQUEST FOR PROPOSAL (RFP) REQUIREMENTS FOR THE ABOVE PURCHASES, PROVIDED THAT PRIOR TO EXPENDITURE OF ANY FUNDS STAFF WILL AWARD CONTRACTS AND ESTABLISH CONTRACT AMOUNTS FOR THE CONTROLLER'S BUREAU**

**WHEREAS**, the current Early Warning System, IPAS, was developed by the Information Technology Department (hereafter "ITD") for the Oakland Police Department (hereafter "Department") in 2006 and is no longer able to support the needs of the Department. The system has become antiquated and could possibly jeopardize compliance with the Negotiated Settlement Agreement (NSA); and

**WHEREAS**, implementing a Second Generation Early Warning System and technology platform (hereafter "IPAS2") will provide better efficiencies and reliability for the Department through database consolidation, workflow optimization, and near real-time dissemination of information to supervisors, management, and the appropriate city officials; and

**WHEREAS**, implementing IPAS2 will allow the Department to maintain compliance with the supervision and management requirements of the NSA; and

**WHEREAS**, implementing IPAS2 will allow for the Department to implement a single scalable technology that consolidates many silos of information with advanced search capabilities and better collaboration and information sharing within the Department; and

**WHEREAS**, Microsoft Corporation was selected by a committee including representatives from the Information Technology Department, Oakland Police Department, and Contracts and Compliance via a Request for Proposal process, and was determined to be qualified to create and implement IPAS2; and

**WHEREAS**, Microsoft Corporation is an information technology industry leader with a proven track record of success in implementing large scale technology solutions for law enforcement agencies; and

**WHEREAS**, Oakland ITD staff is requesting the Council to authorize the City Administrator to award contracts up to a total amount of one million, forty-five thousand dollars (\$1,045,000) to purchase hardware, software and professional services to build the IPAS2 project infrastructure without return to Council, contingent on Council authorization of the appropriation described below; and

**WHEREAS**, Oakland ITD staff is also requesting the Council to authorize the appropriation of an additional amount of eight hundred and eighty seven thousand five hundred dollars (\$887,500) to be used to purchase hardware, software and professional services for the IPAS2 project; and

**WHEREAS**, OMC Title 2, Chapter 2, Article I, Section 2.04.051.A requires staff to conduct a competitive Request for Proposal/Qualification (RFP/Q) selection process for the procurement of professional services; and

**WHEREAS**, OMC Title 2, Chapter 2, Article I, Section 2.04.050 requires formal advertising and competitive bidding when the City purchases services, supplies or a combination thereof that exceeds \$50,000.00, and

**WHEREAS**, OMC Title 2, Chapter 2, Article I, Section 2.04.050.I.5 permits the Council to waive formal advertising and competitive bidding upon a finding and determination that it is in the best interests of the City to do so; and

**WHEREAS**, OMC Title 2, Chapter 2, Article I, Section 2.04.051.B permits the Council to waive the competitive RFP/Q competitive selection requirement upon a finding and determination that it is in the best interests of the City to do so; and

**WHEREAS**, the City Council finds that the services provided pursuant to the agreement authorized here under are of a professional, scientific, or technical nature and are temporary in nature; and

**WHEREAS**, the City Council finds that this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now therefore be it

**RESOLVED:** That the City Council hereby authorizes awarding a contract to Microsoft Corporation in an amount of two million two hundred thousand dollars (\$2,200,000) for the design, development, and implementation of the Oakland Police Department's second generation Early Warning System and technology platform ("IPAS2") project, and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to award contracts up to a total amount of one million, forty-five thousand dollars (\$1,045,000) to purchase hardware, software and professional services to build the IPAS2 project infrastructure without return to Council, contingent on Council authorization of the appropriation described below; and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the appropriation of an additional amount of eight hundred and eighty seven thousand five hundred dollars (\$887,500) to be used to purchase hardware, software and professional services for the IPAS2 project; and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes waiving the City's advertising, bid and request for proposal (RFP) requirements for the above purchases, provided that prior to expenditure of any funds Staff will award contracts and establish contract amounts for the Controller's Bureau; 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 advertising, competitive bidding and the competitive RFP/Q competitive selection requirements for the above purchase expenditures because the City has already established a Master Service Agreement with Microsoft for the licensing of Microsoft products at an already negotiated discount and has already established Hewlett-Packard computer hardware as the City standard; provided that prior to expenditure of any funds staff will award contracts and establish contract amounts for the Controller's Bureau, without return to Council, and be it

**FURTHER RESOLVED:** That doing so will enable the expeditious completion of this project – a project that is instrumental to satisfying the requirements of the Negotiated Settlement Agreement.

**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 agreements shall be reviewed and approved by the City Attorney and place on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, OCT 21 2014 --

**PASSED BY THE FOLLOWING VOTE:**

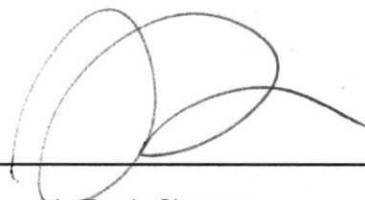
AYES – BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, ~~SCHAFF~~, AND PRESIDENT KERNIGHAN - 7

NOES- 0

ABSENT- 1 SchAAF

ABSTENTION- 0

ATTEST: \_\_\_\_\_



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