

AMENDED IN PUBLIC SAFETY COMMITTEE MARCH 22, 2016

Amadeo S. ...
City Attorney

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

2016 MAR 24 PM 3:08 RESOLUTION NO. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION: 1) AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH SST, INC. FOR GUNSHOT DETECTION SERVICES THAT WILL CONSOLIDATE ALL THREE SHOTSPOTTER PHASE AREA PROGRAMS INTO A CONSOLIDATED CONTRACT ON AN ANNUAL BASIS FROM APRIL 19, 2016 TO APRIL 18, 2017, AT A COST OF FOUR HUNDRED NINETY FOUR THOUSAND SIX HUNDRED DOLLARS (\$494,600.00) PER YEAR, WITH AN OPTION TO RENEW FOR THREE ADDITIONAL ONE-YEAR TERMS AT THE SAME RATE PER YEAR, SUBJECT TO THE AVAILABILITY OF FUNDS AND APPROVAL BY THE CITY COUNCIL OF THE FUNDS IN THE OAKLAND POLICE DEPARTMENT'S BASELINE BUDGET PROPOSAL, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED ONE MILLION NINE HUNDRED SEVENTY EIGHT THOUSAND FOUR HUNDRED DOLLARS (\$1,978,400); AND 2) WAIVING THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATIONS (RFP/Q) PROCESS, THE ADVERTISING AND BIDDING REQUIREMENTS, AND LOCAL AND SMALL LOCAL BUSINESS (L/SLB) ENTERPRISE PROGRAM PROVISIONS FOR THE AGREEMENT WITH SST, INC.

WHEREAS, on June 8, 2006, the City Council, by Resolution Nos.80007 C.M.S. respectively, authorized OPD to enter into an agreement with ShotSpotter, Inc., now known as SST, Inc., for the initial ShotSpotter coverage area (Phase I); and

WHEREAS, on October 4, 2011, the City Council, by Resolution No. 83580 C.M.S., authorized OPD to enter into a Professional Services Agreement with SST, Inc., for an annual subscription fee of \$84,000 per year, and the current contract extension for maintenance on the existing ShotSpotter technology system expires on April 18, 2016; and

WHEREAS, on October 2, 2012, the City Council, by Resolution No. 84058 C.M.S., authorized OPD to enter into a Professional Services Agreement with SST, Inc. to expand Shot Spotter system (phase II), for an annual subscription fee of \$264,000 per year, and the current contract extension for Shot Spotter System maintenance expires on April 18, 2016; and

WHEREAS, on October 15, 2014, the City Council, by Resolution No. 85254 C.M.S., authorized OPD to expand ShotSpotter coverage (Phase III) for \$146,600 from October 21, 2014 through April 18, 2016; and

WHEREAS, the City Council approved \$820,000 in one time funds and \$84,000

annually in ongoing funds for Shotspotter funding in the Approved Fiscal Year 2015-17 Policy Budget; and

WHEREAS, SST, Inc. is the only vendor offering gunshot detection systems which utilize multi-acoustic-sensor systems that calculate the geolocation of subsonic and supersonic sounds, including handguns fired at close range, in weapon firings in 360 degree space over 10s of square miles, which delivers real-time, actionable information critical to crime deterrence and response; and

WHEREAS, OPD and other City staff have determined that SST, Inc. is the only vendor which has demonstrated an ability to implement a gunshot detection system capable of providing the geographic coverage of Oakland's three Phase areas; and

WHEREAS, Oakland Municipal Code section 2.04.020.B requires Council approval of contracts for technology-related professional services in excess of \$15,000; and

WHEREAS, Oakland Municipal Code section 2.04.051.A requires the City Administrator to conduct a request for proposals/qualifications (RFP/Q) process for professional services contracts in excess of \$25,000 and Oakland Municipal Code Section 2.04.051.B authorizes the City Council to waive the Request for Proposals/Qualifications requirements after a finding and determination that it is in the best interests of the City to do so; and

WHEREAS, Oakland Municipal Code section 2.04.050.A requires the City Administrator to conduct advertising and bidding and award to the lowest responsible, responsive bidder for the purchase of products or goods, and Oakland Municipal Code section 2.04.050.1.5 allows Council to waive advertising and bidding requirements upon a finding by the Council that it is in the best interest of the City to do so; now, therefore be it

RESOLVED: That the City Council hereby authorizes the City Administrator, or designee, to enter into a Professional Services Agreement with SST, Inc., to consolidate all three shotspotter phase area programs into a consolidated contract for the period of April 19, 2016 through April 18, 2017, for four hundred ninety four thousand six hundred dollars (\$494,600), for the monitoring services of the ShotSpotter gunshot detection system ~~with the option to renew three additional one year terms in an amount not to exceed \$1,978,400 (one million nine hundred seventy eight thousand four hundred dollars);~~ and be it

FURTHER RESOLVED: That subject to the availability of funds and approval by the City Council of the funds in the Oakland Police Department's baseline budget proposal, the City Administrator or designee shall have the authority to extend the agreement for up to three additional years at a cost of up to four hundred ninety four thousand six hundred dollars (\$494,600) per year, which would bring the total contract cost to one million nine hundred and seventy eight thousand four hundred dollars (\$1,978,400); and be it

FURTHER RESOLVED: That pursuant to Oakland Municipal Code sections 2.04.050.I.5 and 2.04.051.B, for the reasons stated above and in the City Administrator's report accompanying this resolution, that the City Council determines 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 based on information provided by the City Administrator, the Council finds that this contract is of a professional and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and be it

FURTHER RESOLVED: City Council appropriated \$494,000 for ShotSpotter (phases I -III) during the FY2015-17 biennial budget process to fund this project under the General Purpose Fund (1010), Information Technology Unit Org. (106410), Contract Services Account (54919), Project (P459310 & A490810), Agency-wide Administration Program (PS01); 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 SST, Inc.; and be it

FURTHER RESOLVED: That the City Administrator, or 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 SST, 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.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID and PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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