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FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved as to Form and Legality


(srf: 10/15/24 Aug 23, 2024 15:03 PDT)

City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 90448 C.M.S.

RESOLUTION: 1) AUTHORIZING THE CRIME LABORATORY TO PROCURE EQUIPMENT SUPPORTING THE NATIONAL INTEGRATED BALLISTIC INFORMATION NETWORK (NIBIN) FUNDED WITH GRANT FUNDS FROM THE OFFICE OF JUSTICE PROGRAMS (OJP), BUREAU OF JUSTICE ASSISTANCE (BJA) FOR LOCAL LAW ENFORCEMENT CRIME GUN INTELLIGENCE CENTER (CGIC) INTEGRATION INITIATIVE TO MEET THE GRANT REQUIREMENTS; 2) WAIVE THE ADVERTISING AND COMPETITIVE BIDDING REQUIREMENTS FOR THE PURCHASE OF NIBIN SYSTEM ELEMENTS TO INCLUDE (1) A USED BRASSTRAX FROM FAIRFIELD POLICE DEPARTMENT FOR NINETY THREE THOUSAND DOLLARS (\$93,000) (2) A NEW BRASSTRAX FROM ULTRAFORENSICS FOR ONE HUNDRED FIFTY FIVE THOUSAND DOLLARS (\$155,000), (3) A NEW MATCHPOINT SYSTEM FROM ULTRAFORENSICS FOR EIGHTY FIVE THOUSAND DOLLARS (\$85,000), (4) INSTALLATION OF ALL SYSTEMS BY ULTRAFORENSICS FOR TWENTY EIGHT THOUSAND DOLLARS (\$28,000) AND (5) LICENSES AND SERVICE BY ULTRAFORENSICS FOR ONE HUNDRED TWENTY FIVE THOUSAND DOLLARS (\$125,000).

WHEREAS, the National Integrated Ballistic Information Network (NIBIN) system has revolutionized law enforcement’s ability to analyze ballistic evidence to determine interconnectivity; and

WHEREAS, the Local Law Enforcement Crime Gun Intelligence Center (CGIC) Integration Initiative was created by the U.S. Department of Justice, Office of Justice Program, Bureau of Justice Assistance (DOJ/OJP/BJA) to assist laboratories to support a CGIC with a goal of improving investigations into violent gun crime; and

WHEREAS, the CGIC Strategic Plan calls for expanding analytical capacity and throughput to NIBIN system which can only occur with acquisition of more equipment; and

WHEREAS, grant funds in an amount of \$695,997 was awarded by DOJ/OJP/BJA to the Oakland Police Department (OPD) will be applied to Fiscal Year 2024-25 implementation of the

Local Law Enforcement Crime Gun Intelligence Center (CGIC) Integration Initiative; and

WHEREAS, the City Council previously authorized acceptance of these grant funds by Resolution No. 89617 C.M.S; and

WHEREAS, the OPD Criminalistics Division must use and maintain rigorously validated equipment to meet accreditation requirements; and

WHEREAS, the grant funds were awarded to purchase the specified equipment made by UltraForensics which has been previously laboratory-validated; and

WHEREAS, the NIBIN equipment units validated by the laboratory are only produced by UltraForensics, there are no alternative vendors, but the equipment costs exceed the sole source limit established of \$50,000; and

WHEREAS, Oakland Municipal Code (OMC) Section 2.04.050.1.5 authorizes the City Council to waive the advertising and competitive bidding requirements of OMC Section 2.04.050 after finding and determining that it is in the best interests of the City to do so; and

WHEREAS, the proposed initiative grant term has a performance start date of October 1, 2022, and end date of September 30, 2025, a 36-month duration; and

WHEREAS, staff recommends that the City Council make a finding and a determination that it is in the best interests of the City to waive advertising and bidding processes because the proposed acquisition of equipment optimizes the use of the funds by obtaining a used instrument in addition to new equipment; now, therefore be it

RESOLVED: That said grant funds shall be used purchase critical NIBIN equipment, licenses and service; and be it

FURTHER RESOLVED: That the City Council finds and determines that pursuant to OMC Section 2.04.050.1.5 and based upon the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the advertising and competitive bidding requirements of the OMC for the purchases of a used BrassTrax system for \$93,000 from Fairfield PD, a new BrassTrax for \$155,000, MatchPoint \$85,000, installation for \$28,000 and licenses and service for \$125,000 from UltraForensics; and be it

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FURTHER RESOLVED: That any agreement authorized by this resolution shall be reviewed and approved by the Office of the City Attorney for form and legality prior to execution, and a copy shall be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE: OCT 1 - 2024

AYES – KAPLAN, KALB, ~~FIFE~~, RAMACHANDRAN, GALLO, JENKINS, REID, and PRESIDENT BAS - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - 1 Fife

ATTEST: _____
Asha Reed
City Clerk and Clerk of the Council
of the City of Oakland, California