

OFFICE OF THE CITY ATTORNEY
CITY OF OAKLAND

OAKLAND CITY COUNCIL

2006 SEP 14 PM 4:01

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO:

- 1) **NEGOTIATE, AND ENTER INTO A CONTRACT WITH DIGITAL PATROLLER IN AN AMOUNT NOT-TO-EXCEED \$1,665,664.00 TO PURCHASE AN IN-CAR VIDEO MANAGEMENT SYSTEM ("ICVMS") FOR APPROXIMATELY A MINIMUM OF EIGHTY (80) POLICE DEPARTMENT VEHICLES, A 3-YEAR MAINTENANCE CONTRACT, A VIDEO NETWORK, SECURITY EQUIPMENT TO SUPPORT SECURE VIDEO TRANSMISSION AND RELATED INSTALLATION SERVICES, AND,**
- 2) **WAIVING THE CITY OF OAKLAND'S COMPETITIVE BID PROCESS FOR THE DIGITAL PATROLLER CONTRACT, AND**
- 3) **ENTER INTO ADDITIONAL, COMPETITIVELY BID MAINTENANCE CONTRACTS WITH OTHER VENDORS AT THE END OF DIGITAL PATROLLER'S 3-YEAR MAINTENANCE PERIOD FOR SUSTAINED ANNUAL MAINTENANCE, WITHOUT RETURNING TO COUNCIL, IN A CUMULATIVE AMOUNT NOT-TO-EXCEED \$75,000.00, AND**
- 4) **ADD ONE FULL-TIME CIVILIAN POSITION TO THE POLICE DEPARTMENT FOR MANAGEMENT AND OPERATION OF THE ICVMS, AND**
- 5) **APPROPRIATE \$900,000.00 IN ACCRUED INTEREST FROM THE EQUIPMENT MASTER LEASE-PURCHASE AGREEMENT TO THE ICVMS PROJECT**

WHEREAS, the Oakland Police Department seeks to implement an in-car video recording system that will provide visual evidence of incidents and public interaction that occur while officers are on patrol throughout the City, and

WHEREAS, task 32 of the Negotiated Settlement Agreement directs staff to explore the possibility of implementing an in-car video recording system, and the Independent Monitoring Team strongly recommends the installation of an in-car video recording system; and

WHEREAS, in 2004, a demonstration project was conducted to test the effectiveness of an in-car video recording system by installing cameras in six patrol vehicles which were used by 74 officers over a 95-day period; and

WHEREAS, prior to the start of the demonstration project, 15 of the 74 officers (20%) received a total of 18 Internal Affairs complaints; and during the demonstration period, none of the officers received complaints while using the camera-equipped vehicles; however, during the demonstration period, 15 of the 74 officers received a total of 15 complaints while driving vehicles that *were not* equipped with an in-car video camera; and

WHEREAS, the Office of the City Administrator has identified \$900,000.00 in funds from accrued interest on the Equipment Service Master Lease-Purchase Agreement; and an additional \$98,664.00, awarded from the Department of Justice Office, Community Oriented Policing Services (DOJ/COPS) 2005 Technology Grant is available from Fund: 2112, Bureau of Field Operations, Organization: 105310, Project: G285310, and earmarked for use on the ICVMS; and \$65,477 is available through State COPS X funds; and an additional \$507,000.00 was allocated on July 25, 2006 from the City Council Third Quarter Budget Surplus Funds; an additional \$366,523.00 is available from JAG 2006 Grant funds (pending City Council approval); and

WHEREAS, selection of the vendor for an in-car video system through a traditional competitive bid process was not in the best interests of the City because the functionality and quality of in-car video systems can vary and it was, therefore, important that the City base its selection on performance (rather than price) of proposed systems; and

WHEREAS, a Request for Proposals process was conducted, vendors performed demonstrations and tests and Digital Patroller was selected as the vendor for the In Car Video Management System ("ICVMS") contract after receiving the highest scores, based on set criteria, from the ICVMS Steering Committee; and

WHEREAS, new maintenance services contracts will be needed at the end of Digital Patroller's 3-year maintenance period and these contracts may be let with one or more vendors who shall be selected through an advertised, competitive bid process or through a request for proposal or qualification process as appropriate; and

WHEREAS, non-professional services provided hereunder are in the public interest because of economy or better performance, and professional or technical services provided hereunder are of a temporary nature; and

WHEREAS, non-professional and professional or technical services hired hereunder 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 finds and determines that it is in the best interests of the City to waive the City's competitive bid process for the Digital Patroller contract and hereby authorizes the City Administrator to do so; and

FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to negotiate, and enter into a contract with Digital Patroller in an amount not-to-exceed one million, six hundred sixty-five thousand, six hundred and sixty-four dollars (\$1,665,664.00) to purchase an in-car video management system ("ICVMS") for ~~approximately~~ a minimum of eighty (80) police department vehicles, a 3-year maintenance contract, a video network, security equipment to support secure video transmission and related installation services; and, be it

FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to enter into additional service agreements with other vendors at the end of the 3-year maintenance period with Digital Patroller for sustained annual maintenance thereafter, without returning to Council, in a cumulative annual amount not-to-exceed seventy five thousand dollars (\$75,000.00); and, be it

FURTHER RESOLVED: That the additional maintenance contracts shall be let through an advertised, competitive bid or through a request for proposals or qualifications as appropriate; and, be it

FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to add one full-time civilian position to the Police Department staff who will be assigned to the Communications Division Org: 103310, Fund: 1010, Program: PS08, to manage and operate the ICVMS; and, be it

FURTHER RESOLVED: That the City Council does hereby authorize the City Administrator or her designee to appropriate nine hundred thousand dollars (\$900,000.00) in funds of accrued interest on the Equipment Master Lease-Purchase Agreement to Oakland Police Department General Fund:1010, Bureau of Field Operations Organization: 105310, Account: 57714, Project: to be determined; and be it

FURTHER RESOLVED: That the City Council hereby appoints the City Administrator as agent of the City to complete all required negotiations, certifications, assurances and documentation required to accept, modify, extend and/or amend the contract; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve any agreements authorized hereunder for form and legality, and copies of any fully executed agreements authorized hereunder shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

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