

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

A. Macaulay
City Attorney

2010 DEC -2 PM 12:42
RESOLUTION No. 83129 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND TO (1) ACCEPT AND APPROPRIATE GRANT FUNDS IN THE AMOUNT OF ONE HUNDRED SIXTY-SIX THOUSAND THREE HUNDRED SIXTY-THREE DOLLARS (\$166,363) FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, NATIONAL INSTITUTE OF JUSTICE, FOR IMPLEMENTATION OF THE PAUL COVERDELL FORENSIC SCIENCE IMPROVEMENT GRANTS PROGRAM, AND APPROPRIATE SAID FUNDS TO THE POLICE DEPARTMENT, AND (2) WAIVE THE CITY OF OAKLAND'S ADVERTISING AND COMPETITIVE BID PROCESS

WHEREAS, grant funds in the amount of \$166,363 have been awarded by the U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, for the implementation of the Paul Coverdell Forensic Science Improvement Grants Program (Coverdell Program) in the Police Department; and

WHEREAS, the Department's Coverdell Program is designed to provide forensic personnel with equipment and supplies geared toward improving forensic laboratory services; and

WHEREAS, the City Council previously authorized acceptance of similar grant funds by Resolution No. 80576 C.M.S., dated May 15, 2007, Resolution No. 79765 C.M.S., dated March 7, 2006, Resolution No. 79501 C.M.S., dated October 4, 2005, and Resolution No. 82351 C.M.S., dated October 20, 2009, and

WHEREAS, the equipment specified are the only viable products based on the following: 1) for the purchases of the GC/MS (Gas Chromatograph/ Mass Spectrometer), Agilent is the only company that can ensure compatibility with other laboratories in the Nation, 2) for the purchase of the UV/Vis, Perkin Elmer is the vendor of choice based on the fact that the Crime Lab has approved procedures and spectral data using a Perkin Elmer UV-Vis spectrometer which may need to be modified or re-created if another manufacturer's UV-Vis instrument is used, and 3) the ATR accessory must be purchased from Thermo Nicolet to avoid incompatibilities that will exist if purchased by another manufacturer; and.

WHEREAS, the grant term for the proposed Coverdell Program is October 1, 2010 through September 30, 2011; now, therefore be it

RESOLVED: That the City Council hereby authorizes the City Administrator or his designee to accept and appropriate grant funds in the amount of \$166,363 from the U.S. Department of Justice, National Institute of Justice, and to increase revenues and appropriate said budget to the Police Department; and be it

FURTHER RESOLVED: That acceptance of these funds was based on the Department’s ability to provide quotations on specific instruments commonly used in forensic science laboratories, and the use of any other instrumentation would preclude collaborative efforts with other laboratories as they offer a standard platform upon which results can be inter-compared; and be it

FURTHER RESOLVED: That the equipment purchased with the grant funds be designated for: An Avatar 360 Smart Performer insert (0039-197) and related zinc-selenium accessories, a Lambda 35 UV-Vis spectrophotometer (97024-424), an Agilent 5975MSD mass spectrometer, an Agilent 7890A Gas Chromatograph a Wiley/NIST spectral library (G1035C), and related accessories ; and be it

FURTHER RESOLVED: That pursuant to OMC 2.04.050.I.5 the City Council finds, based on reasons stated in the agenda report accompanying this resolution and stated above, that it is in the City’s best interest to waive advertising and bidding requirements for the purchase of the specific instruments listed above; and be it

FURTHER RESOLVED: That grant funds shall be maintained in the Federal Grant Fund (2112), Criminalistics Division Org. (102610), Criminalistics Division Program (PS05), in a Project Account to be determined; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator as agent of the City to conduct all negotiations and related actions and to sign all applications and agreements that may be necessary for the completion of the aforementioned grant.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 21 2010, 20_____

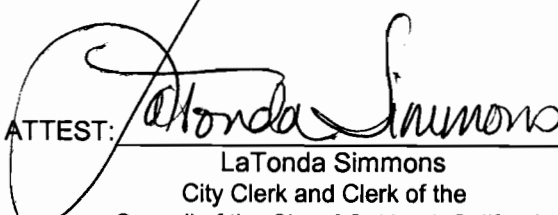
PASSED BY THE FOLLOWING VOTE:

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

NOES- 0

ABSENT- 0

ABSTENTION- 0

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