

City Attorney

FILED
OFFICE OF THE CITY CLERK
OAKLAND

REVISED IN PUBLIC SAFETY COMMITTEE APRIL 12, 2016

2016 APR 14 PM 3: 55 **OAKLAND CITY COUNCIL**

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION: 1) AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO PURCHASE: (A) BODY WORN CAMERAS FOR ~~FORTY-FIVE~~TWENTY TWO THOUSAND FIVE HUNDRED DOLLARS (~~\$45,000~~) (\$22,500) AND HARDWARE FOR TENEIGHTEEN THOUSAND FIVE-HUNDRED DOLLARS (~~\$18,500~~) (\$10,000), FOR A TOTAL COST NOT TO EXCEED THIRTY TWO SIXTY THREE THOUSAND FIVE HUNDRED DOLLARS (~~\$63,500~~) \$32,500 FROM ADAMSON POLICE PRODUCTS; AND (B) TECHNICAL SUPPORT FOR ~~TWO~~ONE HUNDRED THOUSAND DOLLARS (~~\$200,000~~) (\$100,000) FROM VIEVU; AND 2) WAIVING THE CITY'S ADVERTISING/ BIDDING AND REQUEST FOR PROPOSAL REQUIREMENTS FOR THE PROPOSED PURCHASES

WHEREAS, the City Council and residents of Oakland expect the Oakland Police Department (OPD) to maintain its ability to protect and preserve evidence associated with the commission of crimes; and

WHEREAS, the use of body-worn cameras (BWCs) allows OPD officers to document interactions with the public as officers conduct all manner of policing operations; and

WHEREAS, BWCs, also known as personal digital recording devices (PDRD) create evidence that is useful in examining police conduct and policing protocols; and

WHEREAS, OPD has been a national leader in the evolution of PDRD-use among police agencies; and

WHEREAS, OPD has 737 approved sworn positions and this number will increase to 777 as of July 1, 2016; and

WHEREAS, OPD plans to ensure that all sworn personnel are issued PDRDs at the earliest possible date; and

WHEREAS, the use of body worn Cameras has reduced citizen complaints by 50% and uses of force by 74% since their inception in OPD's daily operations; and

WHEREAS, the Oakland Police Department has used VIEVU body worn cameras since 2010; and

WHEREAS, Oakland Municipal Code section 2.04.020.B requires Council approval of contracts for technology-related professional products or goods in excess of \$50,000; 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; and

WHEREAS, VIEVU manufactures body-worn cameras that are considered among the best in law enforcement and contain proprietary software that does not allow other body-worn camera brand to interface with its system; and

WHEREAS, City staff recommends waiving the advertising and bidding requirements for the purchase of BWCs and hardware because Adamson Police Products is the sole distributor of VIEVU BWCs in the Western United States and OPD currently exclusively uses VIEVU BWCs; and OPD would have to replace all of its current supply of body-worn cameras if it was to switch vendors at this time; 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 allows Council to waive the RFP/Q requirements upon a finding by the Council that it is in the best interest of the City to do so; and

WHEREAS, City staff recommends waiving the advertising, bidding, and RFP/Q requirements for the purchase of software, storage, and technical support from VIEVU because OPD already exclusively uses VIEVU BWCs and to switch to another vendor would require the OPD to switch its entire inventory of BWCs; and

WHEREAS, the City Administrator has determined that the contract with VIEVU 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; now, therefore, be it

RESOLVED: That the Oakland City Council, hereby authorizes the City Administrator, or designee, to purchase 25 body worn cameras for twenty two thousand five hundred ~~forty five thousand~~ dollars (~~\$45,000~~) (\$22,500) and hardware for eighteen ten thousand ~~five hundred~~ dollars (~~\$18,500~~) (\$10,000) from Adamson Police Products for a cost not to exceed ~~three hundred ninety four thousand five hundred dollars (\$394,500)~~ thirty two ~~sixty three thousand five hundred~~ dollars (~~\$63,500~~) (\$32,500); and be it

FURTHER RESOLVED: That pursuant to OMC 2.04.050.1.5 and the for the reasons stated above and in the City Administrator's report accompanying this item, the City Council finds that it is in the best interests of the City to waive advertising and bidding requirements for the purchase BWCs and hardware from Adamson Police Products and so waives the requirements; and be it

FURTHER RESOLVED: That the Oakland City Council, hereby authorizes the City Administrator, or designee to purchase ~~software for seventy thousand dollars (\$70,000), storage for forty seven thousand dollars (\$47,000), and technical support from VIEVU for one two hundred thousand dollars (\$200,000 \$100,000) per year for Fiscal Years 2015-16, 2016-17, and 2017-18, for a total cost not to exceed seven hundred and seventeen thousand dollars (\$717,000)~~; and be it

FURTHER RESOLVED: That the total cost authorized for the aforementioned

purchases and services to be provided by Adamson Police Products and VIEVU are not to exceed one ~~two~~ hundred sixty three thirty two thousand five hundred dollars (\$263,500 \$132,500); and be it

FURTHER RESOLVED: That pursuant to OMC sections 2.04.051.B and 2.04.050.1.5, for the reasons stated above and in the City Administrator's report accompanying this item, the City Council finds that it is in the best interests of the City to waive the advertising, bidding, and Request for Proposals/Qualifications (RFP/Q) requirements for the contract with VIEVU to purchase software, storage, and technical support and so waives the requirements; and be it

FURTHER RESOLVED: That based on information provided by the City Administrator, the Council finds that the contract with VIEVU 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: That the cost for contracts with Adamson Police Products and VIEVU shall be paid from the General Purpose Fund (1010), Police Information Technology Org (106410), Technical and Scientific Account (52913), Agency-wide Program (PS01) and a project TBD; and be it

FURTHER RESOLVED: That the City Administrator or designee is authorized to complete all negotiations, certifications, assurances and documentation required to accept, modify, extend, and/or amend the proposed two agreements except for any increases in the total agreement costs set forth herein, without returning to City Council; and be it

FURTHER RESOLVED: That the City Attorney shall approve the proposed agreements and contract terms as to form and legality; and be it

FURTHER RESOLVED: That the City Administrator or her designee shall place a copy of the fully executed agreements on file with the Offices of the City Clerk; and be it

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

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