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OAKLAND

2016 APR -7 PM 3: 38

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Sean Whent
Chief of Police

SUBJECT: Purchase of Additional Body Worn
Cameras Second Supplemental
Report

DATE: April 4, 2016

City Administrator Approval

Date:

4/7/16

RECOMMENDATION

Staff Recommends That The City Council:

Adopt A Resolution: 1) Authorizing The City Administrator, Or Designee, To Purchase: (A) Body Worn Cameras For Forty-Five Thousand Dollars (\$45,000) And Hardware For Eighteen Thousand Five-Hundred Dollars (\$18,500), For A Total Cost Not To Exceed Sixty Three Thousand Five Hundred Dollars (\$63,500) From Adamson Police Products; And (B) Technical Support For One Hundred Thousand Dollars (\$100,000) from VIEVU; And 2) Waiving The City's Advertising / Bidding Requirements And Request For Proposal For The Proposed Purchases.

REASON FOR THE SUPPLEMENTAL REPORT

The Public Safety Committee on March 22, 2016 requested that OPD provide additional information regarding the necessity of purchasing additional body worn cameras (BWC) before a Request for Proposals/Request for Qualifications (RFP/Q) process is initiated, which would lead to OPD purchasing a new fleet of BWCs and related technology. Additionally, during the Committee meeting, representatives from TASER International offered to provide free BWCs to OPD. The Committee requested that OPD evaluate whether it would be possible to receive free cameras from TASER, and how they could be configured to function with OPD's current BWC fleet.

ANALYSIS AND POLICY ALTERNATIVES

The "Purchase of Additional Body Worn Cameras Report," dated December 31, 2015 explains the importance of maintaining a fleet of functioning BWCs for all sworn personnel assigned to field work. The "Purchase of Additional Body Worn Cameras Supplemental Report," dated March 14, 2016 explains that OPD is currently preparing to issue a RFP/Q to replace its aging fleet of 546 BWCs and related technology. The report details the timeline for the RFP/Q process. This supplemental report explains that OPD needs 50 additional BWCs as well as

Item: _____
Public Safety Committee
April 12, 2016

associated hardware to provide BWCs to new officers in the immediate term. The report also explains that OPD needs an ongoing maintenance contract as repairs are constantly needed.

BWC Maintenance

This second supplemental report provides a proposed resolution for consideration (**Attachment A**). In this resolution, the requested spending authority for short-term maintenance funding has been reduced from \$200,000 to \$100,000. OPD is requesting a lower amount due to the shorter period before which a new BWC fleet will be deployed. OPD will have a new ongoing maintenance program as part of the purchase of new BWCs, once the RFP/Q process is complete.

Purchasing Additional BWCs before a new RFP/Q Process is Complete

The "Purchase of Additional Body Worn Cameras Supplemental Report," dated March 14, 2016 and presented to the Public Safety Committee on March 22, 2016, requested spending authority for 50 additional BWCs along with 100 Universal Serial Bus (USB) vehicle plugs, and 10 docking stations. The report explains that this purchase would be necessary for OPD to equip additional officers (currently in the basic academy) with BWCs. The accompanying resolution with this report contained the correct funding amounts in the title (\$263,500), but contained an incorrect numerical total in the body of the resolution (\$717,000). **Attachment A** is a draft-corrected version of this resolution – but now with the lower requested maintenance spending authority of \$100,000, and with the changes shown in cross-out, bold and italics.

The "Purchase of Additional Body Worn Cameras Supplemental Report," dated March 14, 2016 explains that only officers in units primarily assigned to field work have BWCs, as OPD does not currently have enough BWCs to actually equip every single sworn officer. BWCs are assigned to all of the following OPD divisions according to OPD BWC policy:

- Office of the Chief (Chief and Assistant Chief)
- All patrol division officers, sergeants, lieutenants and captains
- Community Resource Officers (CRO) and sergeants,
- Support Operations Division
- Traffic Section
- Foot Patrol
- Criminal Investigation Division (CID)'s Youth and School Services Section
- Special Investigation Units

In total, approximately 491 functioning BWCs currently need to be deployed to these sworn personnel. Currently, approximately 20 BWCs are being repaired due to damage. OPD recommends having a BWC reserve of 10 percent so that new cameras can be immediately issued when damage inevitably occurs. OPD has a current fleet of 546 cameras – OPD currently provides BWCs to the personnel listed above. However, OPD will soon have more sworn officers in the department as current Police Officer Trainees (POTs) in current academies graduate and enter the force. OPD will not have sufficient BWCs to staff every new officer and maintain a needed reserve as cameras are repaired.

Accepting BWCs from TASER International before OPD completes the RFP/Q Process

TASER International representatives at the March 22, 2016 Public Safety Committee explained that TASER plans to bid in OPD's upcoming BWC RFP/Q process. During their presentation they explained that they would also be willing to furnish OPD with 50 free TASER-manufactured BWCs. OPD has since spoken with the City's Contract Compliance Department to discuss whether it would be appropriate for OPD to receive free cameras from a firm that wishes to bid in a competitive contract. Contract Compliance staff explained that the City would be providing an unfair competitive advantage to a firm that wishes to bid on a competitive City contract by testing or evaluating new cameras from that firm. Additionally, OPD would likely need to enter into a Non-disclosure Agreement (NDA) with a firm to receive a gift of technology in the context of an upcoming RFP/Q. Furthermore, OPD has reason to believe that VIEVU, the current provider of OPD's BWCs, would need to provide a significant amount of proprietary technology to TASER International – its competitor in this market place – for the TASER BWCs to function effectively with OPD's current system. The addition of new BWCs from a different manufacturer may also lead to other technological complications. Therefore, staff does not believe that it is in the City's interest to receive additional cameras from a different vendor prior to the competitive RFP/Q process.

There will be a testing phase/trial period for different vendors included in the formal BWC RFP/Q process conducted by OPD.

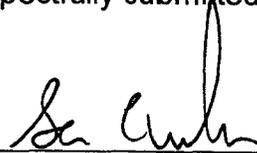
ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council:

Adopt A Resolution: 1) Authorizing The City Administrator, Or Designee, To Purchase: (A) Body Worn Cameras For Forty-Five Thousand Dollars (\$45,000) And Hardware For Eighteen Thousand Five-Hundred Dollars (\$18,500), For A Total Cost Not To Exceed Sixty Three Thousand Five Hundred Dollars (\$63,500) From Adamson Police Products; And (B) Technical Support For One Hundred Thousand Dollars (\$100,000) from VIEVU; And 2) Waiving The City's Advertising/ Bidding Requirements And Request For Proposal For The Proposed Purchases.

For information regarding this report, please contact Dave Burke, Acting Sergeant of Police, at 510-238-7423.

Respectfully submitted,



Sean Whent
Chief of Police
Oakland Police Department

Prepared by:
Dave Burke, Acting Sergeant of Police
Police Information Technology Section

Bruce Stoffmacher, Legislation Manager
Office of the Chief, Research and Planning

Attachments (1)

A: Draft Resolution to purchase body-worn cameras (\$45,000), hardware (\$18,500) and maintenance (\$100,000)

DRAFT

City Attorney

REVISED IN PUBLIC SAFETY COMMITTEE MARCH 22, 2016

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 THOUSAND DOLLARS (\$45,000) AND HARDWARE FOR EIGHTEEN THOUSAND FIVE-HUNDRED DOLLARS (\$18,500), FOR A TOTAL COST NOT TO EXCEED SIXTY THREE THOUSAND FIVE HUNDRED DOLLARS (\$63,500) FROM ADAMSON POLICE PRODUCTS; AND (B) TECHNICAL SUPPORT FOR TWO ONE HUNDRED THOUSAND DOLLARS (\$1200,000) FROM VIEWU; 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 VIEWU 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 body worn cameras for forty-five thousand dollars (\$45,000) and hardware for eighteen thousand five hundred dollars (\$18,500) from Adamson Police Products for a cost not to exceed ~~three hundred ninety four thousand five hundred dollars (\$394,500)~~ sixty three thousand five hundred dollars (\$63,500); 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 ~~(\$1200,000) 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 ~~onetwe~~ hundred sixty three thousand five hundred dollars (\$1263,500); and be it

FURTHER RESOLVED: That pursuant to OMC sections 2.04.051.B and 2.04.050.I.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

FILED
OFFICE OF THE CITY CLERK
OAKLAND REVISED IN PUBLIC SAFETY COMMITTEE MARCH 22, 2016

City Attorney

2016 APR -7 PM 3:38

OAKLAND CITY COUNCIL

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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