

REVISED BY COUNCIL AT ITS 10/15/24 MEETING

APPROVED AS TO FORM AND LEGALITY


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 90477 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO 1) RENEW THE AGREEMENT WHICH EXPIRED JUNE 30, 2024 WITH SOUNDTHINKING INC. FOR GUNSHOT LOCATION DETECTION SUBSCRIPTION SERVICE COVERAGE FOR ONE AND QUARTER YEAR IN AN AMOUNT OF ONE MILLION FIFTY TWO THOUSAND EIGHTY EIGHT DOLLARS (1,052,088) FOR THE FIRST YEAR AND A QUARTER, WITH TWO, ONE-YEAR OPTIONS TO EXTEND THE CONTRACT PROVIDED CERTAIN REQUIREMENTS ARE MET BY THE CONTRACTOR, FOR A TOTAL NOT TO EXCEED TWO MILLION SEVEN HUNDRED THIRTY FIVE THOUSAND FOUR HUNDRED TWENTY EIGHT DOLLARS (\$2,735,428) FOR THE PERIOD BEGINNING JULY 1, 2024 AND ENDING SEPTEMBER 30, 2027; AND 2) WAIVING THE COMPETITIVE PROCESS REQUIREMENTS, AND LOCAL AND SMALL LOCAL BUSINESS ENTERPRISE (L/SLBE) PROGRAM REQUIREMENTS FOR INFORMATION TECHNOLOGY AGREEMENTS.

WHEREAS, the Gunshot Detection System which is composed of outdoor acoustic sensors placed strategically to detect gunshots plus the use of machine classification systems and trained personnel to identify gunshots and then send real-time notifications to law enforcement agencies was originally provided to the City of Oakland by the agreement authorized by City Council Resolution No. 80075 C.M.S (July 18, 2006); and

WHEREAS, as detailed in the June 5, 2024 City Administrator Staff Report's "Contract and Legislative History" accompanying this Resolution, the City of Oakland has, through agreements authorized by Council Resolution, beginning with Resolution No. 80075 C.M.S. (July 18, 2006), contracted with ShotSpotter, Inc. for its Gunshot Detection System; and

WHEREAS, on August 2, 2023, ShotSpotter, Inc provided City documentation to show that it had changed its name to SoundThinking, Inc. and that the change was in name only; and

WHEREAS, SoundThinking, Inc. is the only vendor proven to have time tested Gunshot Detection technology that has been independently tested and proven by the US Department of Justice <https://www.ojp.gov/ncjrs/virtual-library/abstracts/field-evaluation-shotspotter-gunshot-location-system-final-report>; and

WHEREAS, the Police Department and City staff have determined that SoundThinking, Inc. is the only vendor which has demonstrated an ability to implement a gunshot detection system capable of providing the gunshot detection system coverage as will be required by the proposed agreement with the City of Oakland; and

WHEREAS, Staff has not been able to identify any of the certified LBEs/SLBEs that can perform the services to the City that are required under this contract. Thus, staff requests that the Council waives the LBE/SLBE utilization requirements for this proposed contract award on this basis and because it is in the best interests of the City to do so because of the reasons discussed in the Agenda Report; and

WHEREAS, Oakland Municipal Code (OMC) Section 2.04.051.B authorizes the City Council to waive the advertising and competitive bidding requirements of OMC Section 2.04.050 after a finding and determination that it is in the best interests of the City to do so; now, therefore be it

RESOLVED: That the preceding Whereas recitals and the findings and determinations therein are hereby incorporated in this Resolution by reference; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator to renew the Agreement with SoundThinking, Inc., which expired June 30, 2024, for Gunshot Location Detection Subscription Service coverage for a term of 1.25 years, in an amount not to exceed one million fifty two thousand eighty eight dollars (\$1,052,088) = for the first year and a quarter, with two-one-year options to extend the term of the contract in a contract amount of \$_841,670 per year, provided that the City Administrator will not exercise these options to extend the contract unless the requirements set forth in the Further Whereas recitals below are met, for the first term beginning July 1, 2024 and ending September 20, 2027 , and if extended, for a grand contract total amount of two million seven hundred thirty five thousand four hundred twenty eight dollars (\$2,735,428); and be it

FURTHER RESOLVED: That the Council approves the two, one-year options to extend the term of the agreement, to be exercised by the City Administrator only after the Council, during the first year of the agreement, receives informational reports and in conjunction with the budget process, satisfactorily evaluates the efficacy of the technology and the Council determines in its sole discretion, whether the contract should be continued; and be it

FURTHER RESOLVED: That staff will provide quarterly informational reports to City Council; for its review and evaluation; and be it

FURTHER RESOLVED: That the City Administrator or his designee will negotiate for City to have ownership of the data as well as require the contractor to provide reports on any data analysis as requested by the City;**FURTHER RESOLVED:** that this contract with SoundThinking, Inc. shall be subject to the City Council's approval of the one million fifty two thousand eighty eight Dollars (\$1,052,088) in additional funding the Police Department is requesting be added to its baseline for each of this contract's three fiscal years; and be it

FURTHER RESOLVED: The total funding \$1,052,088 for FY2024-25 will be available through the General-Purpose Fund (1010), Information Technology Unit Org. (106410), Contract Services Account (54919), ShotSpotter Project (1000752) in the amount of \$499,084, ShotSpotter Project (1000789) in the amount of \$297,402 and Department Administrative Project (1000008) in the amount of \$45,184, Agency-wide Administration Program (PS01); and be it

FURTHER RESOLVED: Funding for up to two two, one-year options to extend, will be contingent on future approval of Council's adopted budget for FY 2025-26 and FY 2026-27; and be it

FURTHER RESOLVED: That funding will be through the General Purpose Fund (1010), Information Technology Unit Org. (106410), Contract Services Account (54919), SoundThinking, Inc. and Department Admin Projects (1000752, 1000789 and 1000008), Agency-wide Administration Program (PS01); and be it

FURTHER RESOLVED: That pursuant to Oakland Municipal Code sections 2.04.051.B and for the reasons stated above and in the City Administrator's Staff Report accompanying this Resolution, that it is in the City's best interests to waive the advertising and bidding requirements and the RFP/Q process for the products and services to be purchased under this proposed contract and so waives such requirements; and be it

FURTHER RESOLVED: That Council hereby waives the Local and Small Local Business Enterprise Program (L/SLBE) Provisions for the proposed contract with SoundThinking, Inc.; and be it

FURTHER RESOLVED: That the City Administrator has determined, through information provided by staff, that any services agreement authorized by this Resolution is of a professional, technical, or scientific and temporary nature, and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend the proposed agreement with SoundThinking, Inc.; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve said proposed Professional Services Agreement with SoundThinking, Inc., as to form and legality and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE: **OCT 15 2024**

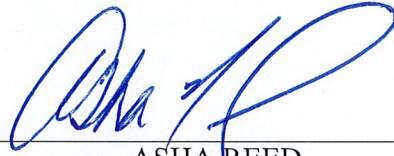
AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, ~~RAMACHANDRAN~~, REID, AND
PRESIDENT FORTUNATO BAS - 7

NOES - 1 - Ramachandran

ABSENT - 0

ABSTENTION - 0

ATTEST: _____



ASHA REED

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