

*Farrah Hussein*

City Attorney's Office

## OAKLAND CITY COUNCIL

### RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**A RESOLUTION 1) AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A THREE YEAR CONTRACT WITH FORENSIC LOGIC, INC., FOR THE PERIOD OF JULY 1, 2023 THROUGH JUNE 30, 2026, FOR TWO HUNDRED AND SEVENTY TWO THOUSAND FIVE HUNDRED DOLLARS (\$272,500) FOR THE FIRST YEAR, AND TWO HUNDRED SIXTY TWO THOUSAND FIVE HUNDRED DOLLARS (\$262,500) PER YEAR FOR YEARS TWO AND THREE, FOR A TOTAL CONTRACT OF SEVEN HUNDRED NINETY SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$797,500), FOR ACCESS TO THE FORENSIC LOGIC SEARCH AND ANALYTICS SYSTEM AND RELATED NETWORK, LICENSING, TECHNICAL SUPPORT, AND CONSULTING SERVICES; AND 2) WAIVING THE CITY'S ADVERTISING/ BIDDING AND REQUEST FOR PROPOSAL REQUIREMENTS FOR THE PROPOSED PURCHASE.**

**WHEREAS**, the accurate collection of data and the ability to utilize the data across disparate operating platforms is vital in evaluating crimes and crime control operations; and

**WHEREAS**, Forensic Logic, Inc. has been providing consulting and technical services to the City of Oakland since 2009, including but not limited to access to their "Law Enforcement Analysis Portal" more commonly known as "LEAP"; and

**WHEREAS**, LEAP has provided OPD personnel access to mapping, charting, and advanced crime analysis tools, and also to link to data from both OPD systems as well as other police agencies in the LEAP network, providing OPD with both better access to its own data as well as intersections to regional data; and

**WHEREAS**, both OPD personnel as well as personnel from other police agencies can better investigate crimes that transcend local borders when data from different agencies is combined, and connections can be seen; and

**WHEREAS**, Forensic Logic, Inc. purchased "CopLink," a public safety information sharing platform formerly owned by International Business Systems, and has since integrated LEAP with CopLink into a merged system rebranded as "CopLink"; and

**WHEREAS**, CopLink, like LEAP, allowed OPD to connect its local Records Management System (RMS) and Computer Aided Dispatch (CAD) data with a Federal Bureau of Investigation (FBI) and Criminal Justice Information System (CJIS) compliant data warehouse to analyze trends within an agency and across neighboring agencies, which is critical for crime investigations as those that commit crimes in Oakland are not restricted by the City's geographic boundaries; and

**WHEREAS**, the proposed resolution will allow the City Administrator to enter a three-year

contract with Forensic Logic, LLC for the continued use of the proprietary search system known as CrimeTracer (formerly known as CopLink or LEAP); and

**WHEREAS**, Oakland's Surveillance Ordinance No.13489 C.M.S., adopted by the City Council on May 15, 2018 adds Chapter 9.64 to the Oakland Municipal Code (OMC), and covers policy areas related to surveillance technology; and

**WHEREAS**, OMC 9.64.030.1.C requires City Council approval for new and existing surveillance technology; additionally, OMC Section 9.64.020.1 requires that, "Prior to seeking City Council approval for existing city surveillance technology under Section 9.64.030, city staff shall submit a Surveillance Impact report and Surveillance Use Policy to the Privacy Advisory Commission (PAC) for its review at a regularly noticed meeting. The surveillance impact report and surveillance use policy must address the specific subject matter specified for such reports as defined under 9.64.010"; and

**WHEREAS**, on April 30, 2012, the City Council adopted Resolution No. 83819 C.M.S, which authorized: 1) a two-year contract with Forensic Logic, Inc., for the initial purchase of their LEAP Crime Analysis System, in an amount not to exceed \$195,000; and 2) the waiving of the City's Request for Proposal/Qualifications (RFP/Q) requirements; and

**WHEREAS**, on July 1, 2014, the City Council adopted Resolution No. 85082 C.M.S., which authorized: 1) a two-year contract extension with Forensic Logic, Inc., for the continued use of the LEAP Crime Analysis System, in an amount not to exceed \$309,605; and 2) the waiving of the City's RFP/Q requirements; and

**WHEREAS**, on July 5, 2016, the City Council adopted Resolution No. 86270 C.M.S., which authorized: 1) a one-year contract extension with Forensic Logic, Inc., for the period of July 1, 2016 through June 30, 2017, in the amount of Two Hundred and Twenty-Four Thousand, Three Hundred and Seventy Five Dollars (\$224,375), for the continued use of the LEAP Crime Analysis System; and 2) the waiving of the City's RFP/Q requirements; and

**WHEREAS**, on June 20, 2017, the City Council Adopted Resolution No. 86801 C.M.S., which authorized a contract with Forensic Logic, Inc. for the period of July 1, 2017 through December 31, 2017, in an amount not to exceed one hundred twelve thousand one hundred eighty eight dollars (\$112,188), for use of their LEAP Network suite of crime analysis applications, licensing, technical support, and consulting services; and 2) waiving the City's advertising/ bidding and request for proposal requirements for the proposed purchases; and

**WHEREAS**, on December 18, 2017, the City Council adopted Resolution No. 87002 C.M.S., which authorized a contract with Forensic Logic, Inc. for the period of January 1, 2018 through June 30, 2018, for a total not to exceed ninety-four thousand five hundred dollars (\$94,500), for the continued use of the LEAP crime analysis system; and 2) the waiving of the city's RFP/Q requirements; and

**WHEREAS**, on May 15, 2018, the City Council adopted Resolution No. 87193 C.M.S., which authorized a contract with Forensic Logic, Inc. for the period of July 1, 2018, through June 30, 2020, for a total not to exceed Three Hundred Twenty-Six Thousand Dollars (\$326,000), for the continued use of the LEAP crime analysis system; and 2) the waiving of the City's RFP/Q requirements; and

**WHEREAS**, On December 1, 2020, the City Council adopted resolution No. 88421 C.M.S., which authorized a contract with Forensic Logic, Inc. for the period of July 1, 2020

through June 30, 2023, for a total not to exceed \$704,000, for the continued use of the LEAP crime analysis system; and 2) the waiving of the City's RFP/Q requirements; and

**WHEREAS**, Oakland Municipal Code Section 2.04.020.B requires City Council approval of contracts for technology-related professional products or goods in excess of \$50,000, and for technology-related professional services in excess of \$15,000; and

**WHEREAS**, Oakland Municipal Code Section 2.04.051.B. permits the City Council to waive the request for proposal/qualifications (RFP/Q) requirements upon a finding that it is in the best interest of the City to do so; and

**WHEREAS**, staff recommends that it is in the best interests of the City to waive the RFP/Q process because Forensic Logic, Inc. is the sole developer and operator of the CrimeTracer (formerly known as CopLink or LEAP) Search system, which offers a unique form of critical data analysis to OPD; therefore be it

**FURTHER RESOLVED**: that the City Administrator, or designee, is authorized to enter into a three-year contract with Forensic Logic, Inc., for the period of July 1, 2023 through June 30, 2026, for two hundred and seventy two thousand five hundred dollars (\$272,500) for the first year, and two hundred sixty two thousand five hundred dollars (\$262,500) per year for years two and three, for a total contract of seven hundred ninety seven thousand five hundred dollars (\$797,500), for access to the CrimeTracer search and analytics system and related network, licensing, technical support, and consulting services; and be it

**FURTHER RESOLVED**: That the City Council finds that pursuant to Oakland Municipal Code sections 2.04.051.1.5 and 2.04.051.B, for the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the advertising and bidding requirements and the request for proposal/qualification (RFP/Q) process for the Forensic Logic, Inc. contract extension; and be it

**FURTHER RESOLVED**: That the City Council waives the Local and Small Local Business Enterprise Program (L/SLB) Provisions for the proposed agreement extension with Forensic Logic, Inc.; and be it

**FURTHER RESOLVED**: that the City Council waives the City's contracting prohibitions of OMC 2.23.030, finding that no reasonable alternative exists for the services outlined in the proposed contract with Forensic Logic, Inc.; and be it

**FURTHER RESOLVED**: that pursuant to OMC 9.64.020.2, City Council has previously considered and approved the PAC's recommendation to favor City Council authorization of the acquisition and use of OPD UAS in resolution No. 88421 C.M.S. on December 1, 2020; and be it

**FURTHER RESOLVED**: That the City administrator is authorized to extend the contract with Forensic Logic, Inc. for the period of July 1, 2023, to June 30, 2026, for use of their CrimeTracer Network suite of crime analysis applications, licensing, technical support, and consulting services; and be it

**FURTHER RESOLVED**: That the City Administrator or designee is authorized to conduct all negotiations, applications, agreements, extensions and related actions consistent with the purposes of this Resolution, except for increasing the dollar amount, without returning to Council; and be it

**FURTHER RESOLVED**: That in accordance with Article IV, Section 401(6) of the City

Charter, the City Attorney's Office shall review and approve all contracts authorized by this resolution as to form and legality before execution, and a copy of each fully executed agreement shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

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

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_

ASHA REED

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