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2013 NOV 14 PM 5:52 **AGENDA REPORT**

**TO:** DEANNA J. SANTANA  
CITY ADMINISTRATOR

**FROM:** Teresa Deloach-Reed

**SUBJECT:** Supplemental Report - DAC Phase 2      **DATE:** November 13, 2013

City Administrator  
Approval

*Deanna Santana*

Date

11-13-13

**COUNCIL DISTRICT:** City-Wide

**SUPPLEMENTAL REPORT**

This supplemental report sets forth the recommendations made by the Public Safety Committee in the meeting held on November 12, 2013 and to change the resolution authorizing the City Administrator to award a contract for the Domain Awareness Center Phase 2 to:

1. ADD/ Incorporate by reference the three sections added to Resolution No. 84593 on July 30, 2013 regarding the development of the Privacy and Data Retention Policy.
2. Amend the resolution title to read:  
*Resolution Authorizing The City Administrator To: 1) Award A Contract For Phase 2 Of The Domain Awareness Center (DAC) Project Implementation In An Amount Not To Exceed Two Million Dollars (\$2,000,000); 2) Select A Vendor From The Pool Of Vendors That Responded To The Request For Proposal Titled "City Of Oakland/Port Of Oakland Joint Domain Awareness Center, October 2012" 3) With A Return To Council For Approval Of The Recommended Vendor And Contract Award.*
3. Delete the following lines from the resolution:  
*FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to execute any amendments or modifications to said Port/City agreement and the Professional Services Contract without return to Council in an amount not to exceed two million dollars (\$2,000,000.00); and be it*


*FURTHER RESOLVED: That the City Administrator or her designee is authorized to accept and appropriate said FY.2009 and FY2010 FSGP Grants funds into U.S. Department of Homeland Security Fund (2123), Emergency Management Services Division (20711) a grant project to be determined, and*

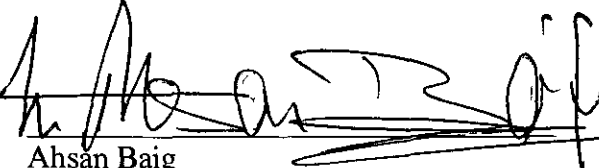
Item: \_\_\_\_\_  
City Council  
November 19, 2013

*Emergency Management Service Program (PS21), the full grant funds will be appreciated to the Miscellaneous Federal Grants Accounts 46129; and be it*

This information was covered in the original resolution (Resolution No. 84593)

Respectfully submitted,

  
ACTING CHIEF MARK HOFFMANN  
FOR Teresa Deloach Reed  
Chief of Fire

  
Ahsan Baig  
Interim IT Director

Please contact Renee Domingo at 238-3939 and/or Ahsan Baig at 238-3010 for questions regarding the report.

2013 NOV 15 AM 8:58

REVISED AT COMMITTEE ON NOVEMBER 12, 2013

## OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO (1) AWARD A CONTRACT FOR PHASE 2 OF THE DOMAIN AWARENESS CENTER (DAC) PROJECT IMPLEMENTATION IN AN AMOUNT NOT TO EXCEED TWO MILLION DOLLARS (\$2,000,000); (2) TO A SELECT A VENDOR FROM THE POOL OF VENDORS THAT RESPONDED TO THE REQUEST FOR PROPOSALS TITLED "CITY OF OAKLAND/PORT OF OAKLAND JOINT DOMAIN AWARENESS CENTER, OCTOBER 2012"; (3) IN AN AMOUNT NOT TO EXCEED \$2M DOLLARS (TWO MILLION) TO BE SELECTED LATER WITH A RETURN TO COUNCIL WITH AN INFORMATIONAL REPORT FOR APPROVAL OF THE RECOMMENDED VENDOR AND CONTRACT AWARD.**

WHEREAS, Congress and the Obama Administration intended the Port Security Grant Program (PSGP) to be one of the tools in a comprehensive set of measures to strengthen the Nation's critical infrastructure against risks associated with potential terrorist attacks; and

WHEREAS, the Port of Oakland submitted PSGP grant proposals to jointly develop, establish and operate a City/Port Domain Awareness Center (DAC) utilizing the City of Oakland Emergency Operations Center (EOC) to consolidate a network of existing surveillance and security sensor data to actively monitor critical Port facilities, utility infrastructure, City facilities and roadways; and

WHEREAS, in March 2013, pursuant to Council authorization by Resolution 82933, the City of Oakland entered into a Professional Services Agreement with Science Applications International Corporation (SAIC) for Phase 1 of the Domain Awareness Center which included the Design/Build phase and the beginning of key public safety and surveillance systems integration between City and Port of Oakland; and

WHEREAS, on May 23, 2013, the Port of Oakland Board of Directors approved a resolution for the Port of Oakland to enter into a Memorandum of Understanding and Grant Administration Agreement to provide up to two million dollars (\$2,000,000) of supplemental FY09 and FY10 PSGP grant funding with the City of Oakland to further expand the development of the City/Port Domain Awareness Center (DAC) and embark upon Phase 2 of the expansion of the systems integration as well as equipment/system enhancements; and

**WHEREAS**, the City seeks to utilize these additional funds to complete Phase 2 of the Domain Awareness Center (Phase 2); and

**WHEREAS**, on July 30, 2013 the City Council passed Resolution No. 84593, approving the appropriation of grant funds, required agreements between the City and the Port, and the spending plans for this project; and City Council further required that the City develop and adopt safeguards, procedures and policies to protect the privacy rights of individuals relative to the operation of City/Port Joint Domain Awareness Center; and

**WHEREAS**, in July of 2013, the City Council pursuant to Resolution 84593 authorized the City's current contract with SAIC to be amended to include the Phase 2 work which consists of, but is not limited to, additional enhancements to the Emergency Operations Center, additional systems' integration such as the Port Geographic Information Systems (GIS) and other key City Public Safety Information Technology systems for an amount of services and equipment because Phase 2 is not part of the current scope of work for the March 2013 Agreement with SAIC, and capped the amount SAIC may charge the City at not to exceed two million dollars; and

**WHEREAS**, a review of an assertion brought forward by SAIC determined that SAIC could not fulfill its contractual obligations to the City due to non-compliance with city policy relative to the Nuclear Free Zone Ordinance; and

**WHEREAS**, staff recommends it is in the best interests of the City to contact the original DAC project RFP respondents to determine their interest in the development of a supplemental proposal for DAC Phase II Implementation, based on the fact that the FY 2009 PSGP supplemental funds must be used by June 30, 2014. Conducting the RFP/Q process using the original respondents will serve to expedite the proposal process and allow the City to adhere to predetermined timelines, and will help ensure the FY 2009 PSGP are expended by the grantee's deadline and will facilitate the City's ability to implement Phase 2 of the DAC project efficiently and effectively in order to maintain consistency, cohesiveness and uniformity as well; and

**WHEREAS**, the City finds and determines that the services provided pursuant to the agreement authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

**WHEREAS**, the City finds and determines that this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

**RESOLVED:** That the City Administrator or her designee is authorized to commence a RFP/Q process to solicit supplemental proposals from the respondents to the original DAC Project RFP with the amount to be paid up to two million dollars for completion of Phase 2 of the DAC work project; bringing the total contract amount authorized to four million nine

hundred-thousand-dollars (\$4,900,000); and be it

**FURTHER RESOLVED:** That staff shall return to Council for approval of the recommended vendor and the award of the contract; and be it

**FURTHER RESOLVED:** That the City Council finds that pursuant to Oakland Municipal Code sections 2.04.050.I.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 expedite the advertising and bidding requirements and the request for proposal/qualifications (RFP/Q) process for the products and services to be purchased; and be it

**FURTHER RESOLVED:** That Resolution No. 84593 approved by the City Council on July 30, 2013 remains in effect except as modified by this subsequent resolution: the ~~City Administrator or her designee is hereby authorized to execute any amendments or modifications to said Port/City agreement and the Professional Services Contract without return to Council in an amount net to exceed two million dollars (\$2,000,000.00);~~ and be it

~~**FURTHER RESOLVED:** That the City Administrator or her designee is authorized to accept and appropriate said FY 2009 and FY 2010 PSGP Grants funds into U.S. Department of Homeland Security Fund (2123), Emergency Management Services Division (20711) a grant project to be determined, and Emergency Management Service Program (PS21), the full grant funds will be appropriated to the Miscellaneous Federal Grants Accounts 46129; and be it~~

**FURTHER RESOLVED:** That the three "Further Resolved" sections added by the City Council to Resolution No. 84593 at the City Council meeting of July 30, 2013 are incorporated into this resolution; and be it

**FURTHER RESOLVED:** That the agreement(s) and other actions authorized hereunder shall be reviewed and approved by the Office of the City Attorney for form and legality and filed with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

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

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