

FILED
OFFICE OF THE CITY CLERK
OAKLAND
City Attorney's Office**OAKLAND CITY COUNCIL**

2014 OCT -2 PM 12:57

RESOLUTION No. 85228 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO 1) ACCEPT AND APPROPRIATE GRANT FUNDS IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED NINETY ONE THOUSAND AND THIRTY-FOUR DOLLARS (\$491,034) FROM THE U.S. DEPARTMENT OF JUSTICE, NATIONAL INSTITUTE OF JUSTICE (USDOJ/NIJ) FOR IMPLEMENTATION OF THE FISCAL YEAR 2014 FORENSIC CASEWORK DEOXYRIBONUCLEIC ACID (DNA) BACKLOG REDUCTION GRANT PROGRAM IN THE OAKLAND POLICE DEPARTMENT; AND 2) WAIVE THE ADVERTISING AND COMPETITIVE BIDDING REQUIREMENTS FOR THE PURCHASES OF DNA TRAINING, DNA TYPING SUPPLIES AND EVIDENCE TEMPERATURE MONITORED FREEZERS IN THE AMOUNT OF FORTY-TWO THOUSAND FOUR HUNDRED AND TWO DOLLARS (\$42,402) FROM VWR/ FISHER/ USA SCIENTIFIC/ AURORA BIOMED, THE AMOUNT OF FORTY THOUSAND SIX HUNDRED DOLLARS (\$40,600) FROM LIFE TECHNOLOGIES (A.K.A. THERMO FISHER), TWENTY-FOUR THOUSAND TWO HUNDRED TWENTY FIVE DOLLARS (\$24,225) FROM QIAGEN, FOUR THOUSAND NINE HUNDRED FIFTY DOLLARS (\$4,950) FROM UNIVERSITY OF FLORIDA / McCRONE, AND SIXTY EIGHT THOUSAND ONE DOLLARS (\$68,001) FROM PROMEGA

WHEREAS, grant funds in an amount not to exceed \$491,034 were awarded by USDOJ/NIJ to support the Oakland Police Department's (OPD's) Fiscal Year 2014 implementation of the DNA Backlog Reduction Program; and

WHEREAS, the DNA Backlog Reduction Program was created to assist laboratories in reducing the number of cases in their backlog in which DNA analyses may be conducted on biological evidence; and

WHEREAS, the funds will be allocated to continue to employ one (1) Criminalist I and one (1) Forensic Technician, pay staff overtime and required training on backlogged cases, purchase laboratory validated DNA typing supplies, and purchase a temperature monitored evidence storage freezer; and

WHEREAS, Central Service Overhead (CSO) costs, in the amount of \$21,651.70 (12.03 percent), are not permitted by the grantor, therefore the General Purpose Fund will contribute \$21,651.70 and

WHEREAS, the grant term for the proposed initiative is October 1, 2014 through September 2016; and

WHEREAS, the City Council previously authorized acceptance of similar grant funds by Resolution No. 84686 C.M.S., dated November 5, 2013, Resolution No. 84041 C.M.S., dated October 2, 2012; Resolution No. 83672 C.M.S., dated December 15, 2011; Resolution No. 83030 C.M.S., dated October 19, 2010; Resolution No. 82291 C.M.S., dated September 22, 2009; Resolution No. 81624 C.M.S., dated October 21, 2008; Resolution No. 80869 C.M.S., dated October 2, 2007; Resolution No. 80129 C.M.S., dated September 19, 2006; Resolution No. 79534 C.M.S., dated October 18, 2005 and Resolution No. 78909 C.M.S., dated November 16, 2004; and

WHEREAS, Oakland Municipal Code (OMC) Section 2.04.050.1.5 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; and

WHEREAS, staff recommends that the City Council make a finding and a determination that it is in the best interests of the City to waive advertising and bidding processes because purchasing DNA supplies from vendors other than those who manufacture DNA kits currently used by the Crime Lab would not be effective, as other DNA supplies from other vendors have not been validated for use; now, therefore be it

RESOLVED: That the City Council hereby authorizes the City Administrator, or designee, to accept grant funds in an amount not to exceed \$491,034 from the USDOJ/NIJ and to increase revenues and appropriate said budget to OPD; and be it

FURTHER RESOLVED: That the General Fund contributes \$21,651.70 to cover Central Services Overhead costs (12.03%); and be it

FURTHER RESOLVED: That said grant funds, in an amount not to exceed \$491,034, shall be appropriated in the Federal Grant Fund (2112), Criminalistics Division Org. (102610), Criminalistics Division Program (PS05), in a Project Number to be established; and be it

FURTHER RESOLVED: That said grant funds shall be used to fully fund one (1) Criminalist I position and one (1) Forensic Technician position to conduct examination of biological material during the term of the grant; and be it

FURTHER RESOLVED: That said grant funds shall be used to pay overtime and required training of Biology Unit staff for analysis on backlogged cases; and be it

FURTHER RESOLVED: That said grant funds shall be used to fund DNA training courses, purchase laboratory validated DNA typing supplies utilized in the examination of biological material and an evidence freezer used during the terms of the grant from Life Technologies (a.k.a. ThermoFisher), QIAGEN, VWR/Fisher/USA Scientific, Aurora Biomed, University of Florida, McCrone and Promega; and be it

FURTHER RESOLVED: That the City Council finds and determines that pursuant to OMC Section 2.04.050.1.5 and based upon 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 competitive bidding requirements of the OMC for the purchases of DNA typing supplies from Life Technologies (a.k.a. ThermoFisher), QIAagen, VWR/Fisher/USA Scientific, Aurora Biomed and Promega; 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 grant award.

IN COUNCIL, OAKLAND, CALIFORNIA, OCT 21 2014

PASSED BY THE FOLLOWING VOTE:

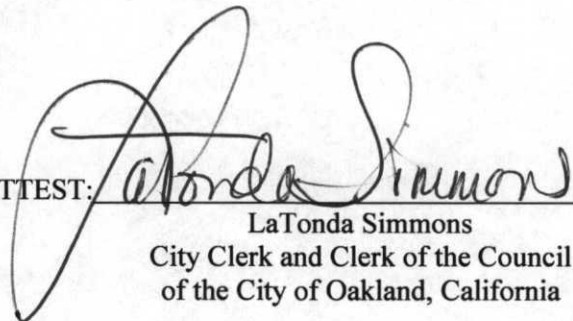
AYES – BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, ~~SCHAAF~~
and PRESIDENT KERNIGHAN **-7**

NOES – **Q**

ABSENT – **1 Schaaf**

ABSTENTION – **Q**

ATTEST:


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