

2018 APR 12 PM 1:29

Approved as to Form and Legality

*Diana Hayes*  
City Attorney's Office

**OAKLAND CITY COUNCIL**  
**RESOLUTION NO. 87165 C.M.S.**

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO: 1) INCREASE THE CONTRACT WITH SST., INC FOR PHASE I TO \$88,200 FROM APRIL 19, 2018 TO APRIL 18, 2019; 2) ALLOW AN ADDITIONAL TWO-YEAR EXTENSION FOR PHASE I, WITH A FIVE PERCENT INCREASE EACH YEAR, AT AN AMOUNT NOT TO EXCEED \$278,051; 3) AMEND THE AGREEMENT WITH SST, INC. FOR PHASES II AND III TO APRIL 19, 2018 THROUGH JUNE 30, 2018 AT NO ADDITIONAL COST; 4) ALLOW THREE ADDITIONAL ONE-YEAR EXTENSIONS FOR PHASES II AND III WITH A FIVE PERCENT INCREASE EACH YEAR AT AN AMOUNT NOT TO EXCEED \$1,359,137, SUBJECT TO THE AVAILABILITY OF FUNDS; AND 5) WAIVE THE COMPETITIVE REQUEST FOR PROPOSAL/ QUALIFICATIONS (RFP/Q) PROCESS, THE ADVERTISING AND BIDDING REQUIREMENTS, AND LOCAL AND SMALL LOCAL BUSINESS (L/SLB) ENTERPRISE PROGRAM PROVISIONS FOR THE CONTRACTS WITH SST, INC**

**WHEREAS**, on April 5, 2016, the City Council, by Resolution No. 86083 C.M.S., authorized OPD to contract with SST. Inc. for gunshot detection services from April 19, 2016 to April 18, 2017 with three additional one-year extensions for an amount not to exceed \$1,978,400; and

**WHEREAS**, via the Fiscal Year 2015-17 Adopted Budget, City Council appropriated \$84,000 for Phase I in ongoing funds and \$410,000 in one-time funds for Phases II and III to the Oakland Police Department General Purpose Fund (1010) budget for ShotSpotter; and

**WHEREAS**, via the Fiscal Year 2017-19 Adopted Budget, City Council did not appropriate funds for Phases II and III; and

**WHEREAS**, Phase II is currently set to expire on April 18, 2018 and Phase III is currently set to expire on September 27, 2018; and

**WHEREAS**, staff requests Council amend the contract for Phases II and III to June 30, 2018, at no additional cost, to allow Phase II to continue and to coincide with the City's budget cycle; and

**WHEREAS**, the annual cost for the gunshot detection service will increase five

5% per year; and

**WHEREAS**, SST, Inc. is the only vendor proven to have time tested technology that has been independently tested and proven by the US Department of Justice; and

**WHEREAS**, OPD and other City staff have determined that SST, Inc. is the only contractor 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**, 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 City Council hereby authorizes the City Administrator, or designee, to enter into a Professional Services Agreement with SST, Inc., for ShotSpotter Phase I from April 19, 2018 through April 18, 2019, for \$88,200.00; and be it

**FURTHER RESOLVED:** That staff can extend the Phase I contract for an additional 2 years, with a 5% increase each year, at an amount not to exceed \$278,051.00 without having to return to Council; and be it

**FURTHER RESOLVED:** That the City Administrator or designee can modify the Phases II and III contracts, at no additional cost, to June 30, 2018; and be it

**FURTHER RESOLVED:** That the City Administrator or designee can exercise three additional one-year extensions for monitoring services of the ShotSpotter gunshot detection system for Phases II and III, with a 5% increase each year, at an amount not to exceed \$1,359,137, subject to the availability of funds, without returning to Council; and be it

**FURTHER RESOLVED:** These contracts shall be funded as follows: \$84,000 of previously budgeted and appropriated funds from the General Purpose Fund (1010) for Phase I, Information Technology Unit Org. (106410), Contract Services Account (54919), Project (P459310), Agency-wide Administration Program (PS01) and the 5% increase will be covered from the Department Admin Project (1000008); and be it

**FURTHER RESOLVED:** That OPD will request funds via the budget process for phases II and III and seek public-private partnerships; 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 report accompanying this resolution, that it is in the City's best interests to waive the advertising and bidding requirements and the request for 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/SLB) Provisions for the proposed contract with SST, Inc.; 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 SST, Inc.; and be it

**FURTHER RESOLVED:** That the City Attorney shall review and approve said proposed Professional Services Agreement with ShotSpotter 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, MAY 01 2018

PASSED BY THE FOLLOWING VOTE:

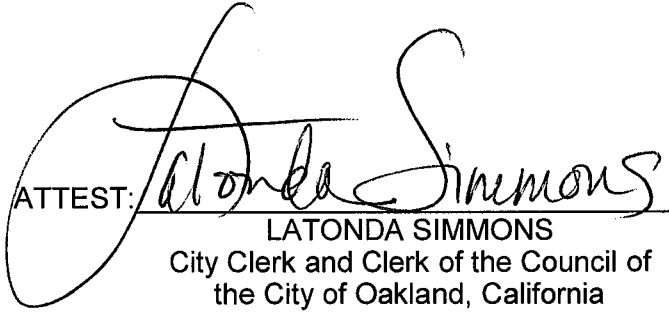
AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB, KAPLAN AND ~~PRESIDENT~~ - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Reid

ATTEST:   
LATONDA SIMMONS  
City Clerk and Clerk of the Council of  
the City of Oakland, California