

RESOLUTION 2018-163

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING (1) APPROPRIATION OF \$100,000 FROM SUPPLEMENTAL LAW ENFORCEMENT SERVICES GRANT REVENUES TO SPENDABLE ACCOUNTS IN THE POLICE DEPARTMENT'S GENERAL FUND BUDGET (100-2110-43600) FOR PURCHASE OF PEREGRINE SOFTWARE LICENSE; AND (2) WAIVER OF FORMAL BID REQUIREMENTS TO PURCHASE PEREGRINE SOFTWARE LICENSE FOR ONE YEAR AT A COST OF \$100,000, INCLUDING TRAINING, SUPPORT AND SERVICES

WHEREAS, Community Outreach and Technology Improvements under the Public Safety Policy Area is an adopted policy item under the FY 2018-21 City Council Priority Work plan, effective November 1, 2017;

WHEREAS, the City of San Pablo has committed to enhancing technology within the Police Department that enables staff to provide a much higher quality level of service and increased public safety;

WHEREAS, recent changes in law and the evolving climate of police work demands has increased the burden on staff to efficiently access multiple data sets and analyze that data in a short period of time;

WHEREAS, in November 2017, the San Pablo Police Department was approached by Peregrine Technologies to initiate a pilot program for data integration. Peregrine began volunteering in February 2018 to create software solutions to integrate multiple sources of data into one platform. In September 2018, the Peregrine platform was deployed to selective units and staff members as part of a pilot program;

WHEREAS, Peregrine Technologies successfully implemented technology and data integration solutions within the Police Department to include development of a Mobile Field Investigation (Mobile FI) application, mapping analysis of cell phone data; successful integration of multiple data sources to include Records Management System, ALPR, and ShotSpotter, overlaid on a GIS platform for efficient access;

WHEREAS, signed legislation, AB 748, requires agencies, effective July 1, 2019, to produce video and audio recordings of "critical incidents," in response to PRA requests. Staff believes Peregrine software will greatly assist in preparation of new policies. Staff have already utilized Peregrine software to assist in Public Records Act requests by integrating multiple data sources, decreasing staff time, and providing responses efficiently;

WHEREAS, by 2023, SPPD will be mandated to report 16 points of data for every police stop, pursuant to the Racial and Identity Profiling Act (RIPA, AB 953). The Mobile FI application will be fully deployed within two months and will allow SPPD to be fully integrated, trained and prepared to efficiently meet RIPA requirements on each police stop;

WHEREAS, all training, future applicable data integrations, product development, and support, which includes 24/7 technical support, will be included in the purchase of a software license with Peregrine Technologies;

WHEREAS, Peregrine is an advanced analytic platform that provides a single point of access to view and analyze large-scale data from various data sources. Peregrine creates a unique and extremely efficient method for turning large amounts of raw data into useful analysis products, quickly and with significant reduction in staffing time;

WHEREAS, these systems have been developed specifically for the San Pablo Police Department's needs. This includes specific technology and data source integrations unique to the Police Department's records management systems with work flow input directly from staff. All other possible vendors offering similar solutions would require additional costs for product development and review;

WHEREAS, staff recommends the procurement of the Peregrine Technologies software and services be exempted from City bidding requirements because: 1) it involves specialized services combined with equipment and products, in which the City acquires and installs equipment but must also retain specialized services for consulting on using, training, installing, maintaining, and servicing the products (San Pablo Municipal Code section 3.16.110(B); and 2) the unique software attributes discussed above support the use of sole source agreements (San Pablo Municipal Code section 3.16.110(C);

WHEREAS, in addition, further competitive bidding requirements may be dispensed if the public interest is better served by doing so, as where competitive bidding would not produce an advantage as is the situation with Peregrine. (*Graydon v. Pasadena Redevelopment Agency* (1980) 104 Cal.App.3d 631; *Los Angeles Dredging Co. v. Long Beach* (1930) 210 Cal.348.) The exception may be invoked where the product or service contracted for is of unique value and may not be obtained elsewhere (*Hodgeman v. City of San Diego* (1942) 53 Cal.App.2d 610,618);

WHEREAS, acquisition pursuant to the specialized services and equipment exception and sole source justification are met because the goods and services required to satisfy the agency's specific technology needs and product integration are only developed and available for purchase from Peregrine Technologies. Peregrine Technologies is the sole developer and vendor of the proprietary Peregrine software and Mobile FI application. The San Pablo Police Department has not been able to find another vendor to reliably deliver a combination integration and service platform;

WHEREAS, on December 4, 2018, the Public Safety Standing Committee received a presentation on the proposed procurement of the Peregrine Technologies software license. The Committee voted to receive the presentation and recommended it be forwarded to City Council for formal consideration;

WHEREAS, the Supplemental Law Enforcement Services Grant (SLESF) is a mandated grant as defined by Government Code 30061(b)(3)(i) wherein the County shall

remit at minimum \$100,000 annually to be spent on frontline law enforcement. Grant revenues have accumulated and are available for appropriation;

WHEREAS, sufficient (SLESF) grant revenues are available for appropriation from fund balance in the grant fund (210); and

WHEREAS, the Police Department proposes to appropriate \$100,000 in Supplemental Law Enforcement Grant funds for the purchase of a software license from Peregrine Technologies, which will enable the Department to maximize available technology and provide greater operational efficiency;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Pablo hereby:

- (1) Appropriates \$100,000 from fund balance in the Supplemental Law Enforcement Services Grant Fund (210-0000-00000) to accounts 100-2110-43600;
- (2) Approves the purchase of a Peregrine Technologies software license for one year at a cost of \$100,000 to include software, mobile applications, all training, future applicable data integrations, product development, and support, which includes 24/7 technical support to enable the Department to maximize available technology and provide greater operational efficiency;
- (3) Waives formal bidding requirements for the purchase of the Peregrine Technologies software license due to (a) specialized services combined with equipment and products, in which the City acquires and installs equipment but must also retain specialized services for consulting on use, training, installing, maintaining, and servicing the products (San Pablo Municipal Code section 3.16.110(B); and (b) the unique software attributes discussed above support the use of sole source agreements (San Pablo Municipal Code section 3.16.110(C); and
- (4) Authorizes the City Manager to execute the Customer Order Form and Terms and Conditions, attached as Exhibit A and other documentation consistent with that agreement and this resolution as approved by the City Manager and City Attorney.

* * * * *

ADOPTED this 17th day of December, 2018, by the following vote:

AYES: COUNCILMEMBERS: Valdez, Pabon-Alvarado, Xavier and Kinney
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: Cruz
ABSTAIN: COUNCILMEMBERS: None

ATTEST: APPROVED:

/s/ Patricia Ponce
Patricia Ponce, City Clerk

/s/ Rich Kinney
Rich Kinney, Mayor