

C-11

April 19, 2022

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a Resolution authorizing the City Manager, or designee, to execute a contract, and any necessary documents including any necessary subsequent amendments, with Carahsoft Technology Corporation, of Reston, VA, for cell phone forensic software, on the same terms and conditions afforded to the Region 4 Education Service Center in a total amount not to exceed \$394,196, until the Region 4 Education Service Center contract expires May 1, 2023, with the option to renew for as long as the Region 4 Education Service Center is in effect, at the discretion of the City Manager. (Citywide)

DISCUSSION

City Council approval is requested to enter into a contract with Carahsoft Technology Corporation for the purchase of cell phone forensic software, Cellebrite Premium. This technology may only be used by trained detectives for criminal investigations when a search warrant has been authorized by a judge, or when written or verbal consent has been given by the mobile device owner. Digital evidence obtained from mobile devices is one of the most reliable forms of evidence in criminal investigations. The Cellebrite Premium software combines the ability to analyze and unlock a wide variety of mobile devices that assists detectives in establishing leads in criminal cases.

The Purchasing Division of the Financial Management Department researched procurement options for cell phone forensic software and discovered that other agencies had completed an open, fair, transparent, and competitive procurement process. The City of Long Beach (City) reviewed the cooperative agreement options and determined that the contract between Region 4 Education Service Center and Carahsoft Technology Corporation provided the best value to the City.

Carahsoft Technology Corporation was selected based on their competitive pricing, service level, and breadth of features offered. Region 4 Education Service Center issued an RFP for educational software solutions and services. Carahsoft Technology Corporation products are made available through the master inventory list with OMNIA Partners. OMNIA Partners responded with a full line of products and was awarded the contract. OMNIA Partners leverages over \$100 billion in annual supply to command the best prices for products and services and the master agreement was made available to other public agencies nationally, including state and local governmental entities.

City Charter Section 1802 provides an alternative procurement method by permitting the City to purchase or otherwise obtain services, supplies, materials, equipment, and labor with other governmental agencies. This alternative procurement method can save time and reduce costs through economies of scale by purchasing under existing contracts from other government agencies on a voluntary and selective basis, when authorized by a Resolution adopted by the City Council.

This matter was reviewed by Deputy City Attorney Arturo D. Sanchez on March 31, 2022, Purchasing Agent Michelle Wilson on March 24, 2022, and by Budget Management Officer Nader Kaamouh on April 4, 2022.

TIMING CONSIDERATIONS

City Council action to adopt a Resolution and award a contract concurrently is requested on April 19, 2022, to ensure the contract is in place expeditiously.

EQUITY LENS

The City has incorporated the Equity Toolkit in this recommendation, as requested by the City Council on April 21, 2020. The equipment authorized herein will be used in accordance with State and federal laws to protect life and property, serving all people with respect, dignity and in a constitutional manner. The department anticipates no disparate impact or treatment in its use of the technology given that the technology by policy will only be used in criminal investigations with approval by the owner or authorization by a judge. In addition, the department has a firm policy prohibiting any bias-based policing practices as stipulated by Section 3.49.2 of the Long Beach Department Manual, "Biased policing and racial profiling are prohibited both in the enforcement of the law and the delivery of other police services."

FISCAL IMPACT

The total amount of the contract will not exceed \$394,196 until the Region 4 Education Service Center contract expires May 1, 2023, with the option to renew for as long as the Region 4 Education Service Center is in effect. The total contract cost will be funded by State COPS grant funds, which are currently budgeted in the General Grants Fund Group in the Police Department. The Police Department is also applying for UASI grant funding to cover a portion of the contract term. If awarded, and the Region 4 Education Service Center contract renewal options are exercised and in effect, the UASI grant funds would be used to offset the third year of the contract, freeing up the State COPS grant for other purposes. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



WALLY HEBEISH
CHIEF OF POLICE

ATTACHMENT - Resolution

APPROVED:



THOMAS B. MODICA
CITY MANAGER

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH CARAHSOFT TECHNOLOGY CORPORATION FOR CELL PHONE FORENSIC SOFTWARE, THROUGH THEIR CONTRACT WITH REGION 4 EDUCATION SERVICE CENTER IN AN ANNUAL AMOUNT NOT TO EXCEED \$394,196

WHEREAS, the Charter of the City of Long Beach (the "City"), Section 1802, permits the City to purchase services, supplies, materials, equipment and labor with other government agencies by purchasing under their contracts on a voluntary and selective basis when authorized by resolution; and

WHEREAS, the City desires to purchase cell phone forensic software, Cellebrite Premium; and

WHEREAS, this technology may be used by trained detectives for criminal investigations when a search warrant has been authorized by a judge, or when written or verbal consent has been given by the mobile device owner; and

WHEREAS, digital evidence obtained from mobile devices, is one of the most reliable forms of evidence in criminal investigations; and

WHEREAS, the Cellebrite Premium software combines the ability to analyze and unlock a wide variety of mobile devices that assists detectives in establishing leads in criminal cases; and

WHEREAS, the Purchasing Division of the Financial Management Department, researched procurement option for cell phone forensic software and discovered other agencies had completed open, fair, transparent, and competitive

1 procurement process; and

2 WHEREAS, the City of Long Beach (“City”) reviewed the cooperative
3 agreement options and determined that the contract between Region 4 Education
4 Service Center with Carahsoft Technology Corporation provided the best value to the
5 City; and

6 WHEREAS, Carahsoft Technology Corporation was selected based on their
7 competitive pricing, service level, and breadth of features offered; and

8 WHEREAS, Region 4 Education Service Center (“ESC”) issues an RFP for
9 educational software solutions and services; and

10 WHEREAS, Carahsoft Technology Corporation products are made
11 available through the master inventory list with OMNIA Partners; and

12 WHEREAS, OMNIA Partners responded with a full list of products and was
13 awarded the contract; and

14 WHEREAS, OMNIA Partners leverages over \$100 billion in annual supply
15 to command the best prices for products and services and the master agreement was
16 made available to other public agencies nationally, including state and local
17 governmental entities; and

18 WHEREAS, the Region 4 Education Service Center has a contract for the
19 purchase of this cell phone forensic software, Contract No. R191902 (“Contract
20 Number”); and

21 WHEREAS, the City’s participation in the ESC Contract will facilitate the
22 City’s ability to purchase as well as provide considerable cost benefits to the City; and

23 WHEREAS, if the City had to utilize a formal bid process rather than
24 participate in the ESC Contract considerably more funds would be required;

25 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
26 follows:

27 Section 1. The above recitals are true and correct and are incorporated
28 herein by this reference.

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Section 2. The City Manager or designee is hereby authorized to enter an agreement with Carahsoft Technology Corporation to purchase cell phone forensic software, of the same type and kind identified in the Region 4 Education Service Center Contract except as modified by mutual agreement of the City and Carahsoft Technology Corporation, and the purchase by the City shall be on the same terms and conditions afforded to the Region 4 Education Service Center in an amount not to exceed Three Hundred Ninety-Five Thousand Dollars (\$394,196), until the Region 4 Education Service Center contract expires on May 1, 2023, with the option to renew as long as the Region 4 Education Service Center is in effect, at the discretion of the City Manager.

Section 3. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting this resolution.

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2022, by the following vote:

Ayes:	Councilmembers:	_____

Noes:	Councilmembers:	_____

Absent:	Councilmembers:	_____

Recusal(s)	Councilmembers:	_____

City Clerk