



# City of San Leandro

Meeting Date: November 21, 2016

## Staff Report

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**File Number:** 16-528 **Agenda Section:** CONSENT CALENDAR

**Agenda Number:** 8.C.

**TO:** City Council

**FROM:** Chris Zapata  
City Manager

**BY:** Jeff Tudor  
Acting Chief of Police

**FINANCE REVIEW:** David Baum  
Finance Director

**TITLE:** Staff Report for a Resolution Approving the Sole Source Purchase of Ten (10) Additional Body Worn Digital Video Cameras for \$30,094.96 under the Existing TASER International Contract and City Council Approval of an Appropriation of \$30,094.96 from the Police Special Grant Fund - Frontline Enforcement Program Fund Balance

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### SUMMARY AND RECOMMENDATIONS

The utilization of body worn cameras by police personnel assists in criminal prosecution and risk management. In accordance with prior City Council approval, the department deploys 80 body worn cameras to field staff officers and support personnel.

Staff recommends that the City Council make a finding under California Public Contract Code section 3400(c)(2) that to match existing equipment and systems currently in use, a sole source procurement is justified, and that the City Manager or his designee is authorized to make a purchase of an additional ten (10) body worn digital video cameras through an amendment to the pre-existing contract with TASER International to align with this recommendation. Staff also recommends that the City Council approve the transfer of \$30,094.96 from the Supplemental Law Enforcement Services Fund (SLESF) grant (aka "Frontline") fund balance to make this purchase.

### BACKGROUND

The San Leandro Police Department handles an average of 90,000 calls for service per year. Risk management issues and allegations of police misconduct consume considerable resources for police departments throughout the United States and the San Leandro Police Department is no exception. With the advent of cellular telephones with photo and video capabilities, recorded documentation of an event can be captured by citizens after police action has begun and often does not provide a complete depiction of the incident, particularly from the officer's perspective.

Given this environment, a digital body camera program is essential in effectively balancing community interest and officer safety. The body worn camera program was initially implemented two years ago, and a contract clause allows for an upgrade to current technology.

### **Analysis**

On May 5th, 2014, Council approved Resolution 2014-040, the original TASER Axon contract not to exceed \$441,306.82 over a five (5) year period for eighty (80) body worn digital video cameras and digital management system. The TASER contract broke down as \$127,797.08 in the first year and \$78,377.44 in each subsequent year. Staff requests an amendment to add \$30,094.96 to the original amount, for a new contract total not to exceed \$471,401.78. The additional cameras will add \$11,939.01 to the 2016 contract total and \$9,060.00 each subsequent year. The total cost per unit is approximately \$1,200, including all accessory equipment, licensing, and applicable taxes.

The department currently deploys 80 TASER Axon body cameras for field services, including patrol and investigations work. The department has some staff in certain positions who are currently sharing devices. The supply of functional body camera devices is currently insufficient to meet the demand. This contract amendment will outfit two (2) criminal investigators, one (1) Professional Standards Sergeant, and three (3) Patrol Lieutenants with an assigned device. The remaining four (4) devices will be kept in reserve to serve as back-up cameras during any equipment repairs. This would bring the total number of body cameras to 90 with four (4) in reserve. (Taser International also loaned the City 2 additional body cameras as back-ups, and must be returned when required.)

Additionally, the cameras have been deployed for two years and the battery life in each unit has diminished, as is common with any rechargeable battery-powered technology. TASER covers camera maintenance and defects under the warranty; however, the loss of battery power over time is not covered under the warranty. Any devices that cannot hold a charge for one full shift is less than optimal.

The TASER contract provides an opportunity to trade in all existing equipment for new, updated equipment at no cost. The latest TASER Axon device is a newer version of the current camera in use, with improved video capture capabilities and battery life. It is not cost effective to replace the batteries of the existing units given the contract options stated above. Also, the existing contract allows the City to add devices to the existing contract with no penalty or requirement to purchase additional storage space for digital footage. The cloud-based storage with Evidence.com shares the bulk of the contract cost for this program, not the individual devices. The additional units would be deployed immediately upon upgrade, which is set to occur in December, 2016. Therefore, the department requests approval for a sole source procurement justification for the additional cameras from TASER.

### **Legal Analysis**

The City Attorney previously reviewed and approved as to form the Department Policy for Use of Body Worn Cameras, the Purchasing Contract, and the Professional Services Agreement

for TASER International, dating back to the original staff report from May 5th, 2014.

**Fiscal Impact**

There will be no fiscal impact to the general fund. Project funding would come from the Supplemental Law Enforcement Services Fund (SLESF) grant-a restricted grant fund for specified law enforcement projects.

**Budget Authority**

Staff recommends the Council authorize an appropriation of \$30,094.96 from the SLESF grant (aka "Frontline") fund balance, to the 150-21-011 account. The department is authorized to use these "Frontline" grant funds for projects that enhance service delivery of frontline law enforcement professionals. This technology project satisfies SLESF grant funding requirements.

**ATTACHMENTS**

- TASER International Quotation (Q-28058-4)
- TASER Sole Source Justification

**PREPARED BY:** Scott Koll, Police Business Manager

# TASER International

Protect Life. Protect Truth.

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 Scottsdale, Arizona 85255  
 United States  
 Phone: (800) 978-2737  
 Fax: (480) 991-0791



**Robert (Bob) Sanchez**  
 (510) 577-3225  
 rsanchez@sanleandro.org

## Quotation

**Quote:** Q-28058-4  
**Date:** 7/26/2016 3:37 PM  
**Quote Expiration:** 9/30/2016  
**Effective Date\*:** 9/15/2016  
**Contract Number:** 00002750  
**Contract Expiration Date:** 7/14/2019  
**AX Account Number:** 108570

**Ship To:**  
 Robert (Bob) Sanchez  
 San Leandro Police Dept. - CA  
 901 E. 14th Street  
 San Leandro, CA 94577  
 US

**Bill To:**  
 San Leandro Police Dept. - CA  
 FINANCE DEPT.  
 835 EAST 14TH ST.  
 San Leandro, CA 94577  
 US

SALESPERSON	PHONE	EMAIL	DELIVERY METHOD	PAYMENT METHOD
Bob Dillon	480.905.2012	rdillon@taser.com	Fedex - Ground	Net 30

\*These subscriptions have been prorated for the duration of the existing contract and will be up for renewal at the expiration date listed above.

Axon Body 2 / Evidence.com Ultimate Plan Prorata September, 2016-July, 2017  
 Additions (Year 3) Due: Net 30

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
10	74001	AXON CAMERA ASSEMBLY, ONLINE, AXON BODY 2, BLK	USD 399.00	USD 3,990.00	USD 0.00	USD 3,990.00
10	74018	Z-BRACKET MOUNT, MENS, AXON BODY 2	USD 0.00	USD 0.00	USD 0.00	USD 0.00
10	74020	MAGNET MOUNT, FLEXIBLE, AXON BODY 2	USD 0.00	USD 0.00	USD 0.00	USD 0.00
10	74022	SM POCKET MOUNT, 4", AXON BODY 2	USD 0.00	USD 0.00	USD 0.00	USD 0.00
10	73004	WALL CHARGER, USB SYNC CABLE, FLEX	USD 0.00	USD 0.00	USD 0.00	USD 0.00
10	85078	ULTIMATE EVIDENCE.COM ANNUAL PAYMENT	USD 550.00	USD 5,500.00	USD 0.00	USD 5,500.00
400	85110	EVIDENCE.COM INCLUDED STORAGE	USD 0.00	USD 0.00	USD 0.00	USD 0.00
10	85100	EVIDENCE.COM INTEGRATION LICENSE: ANNUAL PAYMENT	USD 150.00	USD 1,500.00	USD 0.00	USD 1,500.00
<b>Axon Body 2 / Evidence.com Ultimate Plan Additions (Year 3) Due: Net 30 Tax Amount:</b>						USD 949.01
<b>Axon Body 2 / Evidence.com Ultimate Plan Additions (Year 3) Due: Net 30 Net Amount Due Including Taxes:</b>						USD 11,939.01

Evidence.com Ultimate Plan Additions (Year 4) Due:  
July, 2017

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
10	85078	ULTIMATE EVIDENCE.COM ANNUAL PAYMENT	USD 660.00	USD 6,600.00	USD 0.00	USD 6,600.00
400	85110	EVIDENCE.COM INCLUDED STORAGE	USD 0.00	USD 0.00	USD 0.00	USD 0.00
10	85100	EVIDENCE.COM INTEGRATION LICENSE: ANNUAL PAYMENT	USD 180.00	USD 1,800.00	USD 0.00	USD 1,800.00
<b>Evidence.com Ultimate Plan Additions (Year 4) Due: July, 2017 Tax Amount:</b>						USD 660.00
<b>Evidence.com Ultimate Plan Additions (Year 4) Due: July, 2017 Net Amount Due Including Taxes:</b>						USD 9,060.00

Evidence.com Ultimate Plan Additions (Year 5) Due:  
July, 2018

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
10	85078	ULTIMATE EVIDENCE.COM ANNUAL PAYMENT	USD 660.00	USD 6,600.00	USD 0.00	USD 6,600.00
400	85110	EVIDENCE.COM INCLUDED STORAGE	USD 0.00	USD 0.00	USD 0.00	USD 0.00
10	85100	EVIDENCE.COM INTEGRATION LICENSE: ANNUAL PAYMENT	USD 180.00	USD 1,800.00	USD 0.00	USD 1,800.00
<b>Evidence.com Ultimate Plan Additions (Year 5) Due: July, 2018 Tax Amount:</b>						USD 660.00
<b>Evidence.com Ultimate Plan Additions (Year 5) Due: July, 2018 Net Amount Due Including Taxes:</b>						USD 9,060.00

<b>Subtotal</b>	USD 27,790.00
<b>Estimated Shipping &amp; Handling Cost</b>	USD 35.95
<b>Estimated Tax</b>	USD 2,269.01
<b>Grand Total</b>	USD 30,094.96

**Complimentary Evidence.com Tier Upgrade Through September 2016**

This quote contains a purchase of either the Basic or Standard Evidence.com license. You will temporarily receive the features available with the Professional license for the Basic and Standard licenses purchased until September 2016. This is a free upgrade to your account so you can enjoy all the benefits of our most feature rich license tier. In September 2016 you will be prompted to select which users you would like to assign to each tier. This will have no impact on uploaded data.

**Axon Pre-order**

Thank you for your interest in Axon! This pre-order is a commitment to purchase Axon Body 2 and/or Axon Fleet. Axon Body 2 is available for delivery between 8-10 weeks after purchase date. Axon Fleet is available for delivery between August 1, 2016 and August 14, 2016. You will be notified if there are any delays. TASER reserves the right to make product changes without notice.

Per Master Services Agreement/TASER Assurance Plan, these (10) additional cameras will be refreshed once during the contract period currently scheduled for July, 2019.

**TASER International, Inc.'s Sales Terms and Conditions  
for Direct Sales to End User Purchasers**

By signing this Quote, you are entering into a contract and you certify that you have read and agree to the provisions set forth in this Quote and TASER's Master Services and Purchasing Agreement posted at [www.taser.com/legal](http://www.taser.com/legal). You represent that you are lawfully able to enter into contracts and if you are entering into this agreement for an entity, such as the company, municipality, or government agency you work for, you represent to TASER that you have legal authority to bind that entity. If you do not have this authority, do not sign this Quote.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Name (Print):** \_\_\_\_\_ **Title:** \_\_\_\_\_  
**PO# (if needed):** \_\_\_\_\_

Quote: Q-28058-4

Please sign and email to Bob Dillon at [rdillon@taser.com](mailto:rdillon@taser.com) or fax to 480.658.0734

THANK YOU FOR YOUR BUSINESS!

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# CITY OF SAN LEANDRO

## SOLE SOURCE JUSTIFICATION

Project Manager: Scott Koll

Date: 9/28/16

Contractor/Consultant/Vendor: TASER Axon

Project Number: \_\_\_\_\_ Contract Amount: \$ 30,094.96

Project Description: *Purchase and deploy 10 additional body cameras from the previously selected vendor TASER Axon under the current city contract.*

**Notice: Purchases of goods or contracting for services over \$5,000 without obtaining at least three (3) quotes is a violation of City policy unless justified on one or more of the bases below. The City's formal bidding process will normally apply to purchases over \$25,000.**

**Attach Requisition Form for Signature Approval** *Attach this form to your requisition/backup sent to Purchasing*

### JUSTIFICATION FOR AWARD OF SOLE SOURCE CONTRACT

- Emergency PO request. Need for the service is of such an unusual and compelling urgency that the City of San Leandro would be seriously injured unless it is permitted to limit the number of sources from which it solicits bids or proposals. This justification is not met on the basis of a lack of planning.
- Staff solicited competitive bids and was unable to obtain three quotes from responsive vendors – Attach sheet with company names, contact names and phone numbers of vendors contacted
- The service/product is only available from a single source and there is no acceptable substitute
- The item is directly procured from the original manufacturer and that supplier is the only source for such item
- Only one vendor can meet the necessary delivery date of \_\_\_\_\_.
- Only one (1) Contractor/Consultant/Vendor who can provide unique/highly specialized item/ service
- Economy or efficiency supports award to existing contractor/consultant as a logical follow-on to work already in progress under a competitively awarded contract
- Cost to prepare for a competitive procurement exceeds the cost of the work or item
- The item is an integral repair part or accessory compatible with existing equipment
- The item or service is essential in maintaining research or operational continuity
- The item/service is one with which staff members who will use the item/service have specialized training and/or expertise and retraining would incur substantial cost in time and/or money

#### EXPLANATION:

*SLPD purchased 80 body cameras through TASER Axon after city council approval on 5/05/14. This request would add 10 identical cameras to the existing stock. The department already uses this manufacturer and switching to different equipment would create liability for the city. Staff understand how to use the current platform, where switching will create training issues and add costs.*

\_\_\_\_\_  
**REQUESTOR SIGNATURE**



# City of San Leandro

Meeting Date: November 21, 2016

## Resolution - Council

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**File Number:** 16-532 **Agenda Section:** CONSENT CALENDAR

**Agenda Number:**

**TO:** City Council

**FROM:** Chris Zapata  
City Manager

**BY:** Jeff Tudor  
Acting Chief of Police

**FINANCE REVIEW:** David Baum  
Finance Director

**TITLE:** RESOLUTION of the City Council for the City of San Leandro to Make a Sole Source Procurement Finding under California Public Contract Code Section 3400(c)(2) to Approve the Sole Source Purchase of Ten (10) Additional Body Worn Digital Video Cameras for \$30,094.96 Under the Existing TASER International Contract and Approve an Appropriation of \$30,094.96 from the Supplemental Law Enforcement Services Fund (SLESF) Grant (aka "Frontline") Fund Balance

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WHEREAS, On May 5th, 2014, City Council approved Resolution 2014-040 authorizing an agreement between the City of San Leandro and Taser International; and

WHEREAS, the original agreement authorized the purchase of 80 body worn digital cameras totaling \$441,307; and

WHEREAS, the department has a need to increase the total number of body cameras by 10 to outfit the remaining officers sharing cameras, and to address maintenance, and battery life issues; and

WHEREAS, the contract with TASER International allows the City to replace all equipment at the mid-point of the contract, which is December of 2016, with upgraded equipment free of charge; and

WHEREAS, the arrangement with TASER International allows the City to add cameras to the current contract; and

WHEREAS, to match existing equipment and systems currently in use, a sole source procurement finding is justified to remain consistent with TASER Axon body camera equipment already deployed; and

WHEREAS, the City Manager recommends approval of the said amendment to the current agreement.



NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

1. That an amendment to the current TASER contract, in an amount not to exceed \$471,402 over the remainder of the contract, is hereby approved and execution by the City Manager is hereby authorized; and
2. That the original executed agreements shall be attached to and made a part of this resolution.
3. That in accordance with California Public Contract Code section 3400(c)(2), a sole source procurement finding with TASER International for this purchase is justified to match existing equipment and systems currently in use.
4. That the City Council approves the appropriation of \$30,094.96 from the Supplemental Law Enforcement Services Fund (SLESF) Grant (aka "Frontline") Fund Balance to Account 150-21-011 to fund the additional Ten (10) Body Worn Digital Video Cameras.