

City of Fayetteville Item Review Form

2014-0061

Legistar File Number

02/18/2014

City Council Meeting Date - Agenda Item Only  
N/A for Non-Agenda Item

Greg Tabor

Submitted By

Police

Department

Action Required:

Approval of a bid waiver authorizing the replacement of Police Department's Taser products to Teeco Safety, Inc in the amount of \$192,344.50.

Does this item have a cost?  Yes

\$192,344.50

Cost of this request

\$192,344.50

Category or Project Budget

Specialized Police Equipment

Program or Project Name

4470.9470.5210.00/1010.2920.5210.00

Account Number

Capital Improvements

Program or Project Category

02062-1 / 39024-2009

Project Number

\$0.00

Remaining Balance

Sales Tax Capital Improvements

Fund Name

Budgeted Item?  Yes

Budget Adjustment Attached?

01-31-14 P03:12 RCVD *dm* V20130812

Previous Ordinance or Resolution # 85-04 / 5282

Original Contract Number: \_\_\_\_\_

Comments:

ENTERED  
2/15/14 BKP

*[Signature]*  
Paul a. Beck

*[Signature]*  
*[Signature]*

## CITY COUNCIL AGENDA MEMO

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**To:** Mayor Lioneld Jordan and City Council Members

**From:** Mike Reynolds, Deputy Chief of Police *Mike Reynolds*

**Date:** January 31, 2014

**Subject:** Approve Bid Waiver for Replacement of Taser Products from Teeco Safety, Inc.

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### PROPOSAL:

The Taser is a conductive energy weapon (CEW) which uses electrical impulses to temporarily overwhelm the neural communications required for a person to perform coordinated actions. The Fayetteville Police Department has used, and trained with, Tasers since 2004, and found them effective in preventing injury to both officers and suspects who need to be taken into custody. We maintain certified Taser Instructors for training purposes, and our officers have years of experience in handling X-26 Tasers. We have performed periodic evaluations on other types of CEWs to confirm Taser as our preferred less than lethal weapon. Teeco Safety is the sole authorized regional supplier for the company who manufactures the X-26, Taser International. Teeco Safety has been supplying the Fayetteville Police Department with Taser products since the project's inception in 2004.

Our existing Taser X-26 products have been discontinued and have exceeded their five year warranty. The replacement of our Tasers, with the new X-26P model, has been planned for through our Capital Improvements Program funding. We plan to sell our old Taser products on GovDeals.com with the intent to replenish our project with their proceeds.

### RECOMMENDATION:

Staff recommends approval of a bid waiver authorizing the replacement of our Taser products to Teeco Safety, Inc. in the amount of \$192,344.50. If you have any questions, please contact me at extension 500.

### BUDGET IMPACT:

Budgeted funds of \$158,497 in Specialized Police Equipment (project #02062-1) and \$33,847.50 in IRS/Treasury Forfeitures (project #39024-2009) for total replacement costs of \$192,344.50.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE WAIVING THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVING A CONTRACT WITH TEECO SAFETY, INC. IN THE AMOUNT OF \$192,344.50 FOR THE PURCHASE OF TASER PRODUCTS**

**WHEREAS**, the Fayetteville Police Department has used and trained with Tasers since 2004, and found them effective in preventing injury to both officers and suspects who need to be taken into custody, and

**WHEREAS**, the Fayetteville Police Department has performed periodic evaluations on other types of conductive energy weapons (CEWs) to confirm Taser as the preferred less than lethal weapon, and

**WHEREAS**, the Department's existing Taser X-26 products have been discontinued and have exceeded their five year warranty, and

**WHEREAS**, Teeco Safety, Inc. is the sole authorized regional supplier for Taser International and has been supplying the Fayetteville Police Department with Tasers since 2004.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:**

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby finds that such circumstances constitute an exceptional situation where competitive bidding is not feasible or practical, and therefore waives the requirements of formal competitive bidding and approves a contract with Teeco Safety, Inc. in the amount of \$192,344.50 for the purchase of new Taser products for use by the Police Department.

**PASSED and APPROVED** this 18<sup>th</sup> day of February, 2014.

APPROVED:

ATTEST:

By: \_\_\_\_\_  
**LIONELD JORDAN**, Mayor

By: \_\_\_\_\_  
**SONDRA E. SMITH**, City Clerk/Treasurer

# QUOTATION

Quote Number: 7951  
 Quote Date: Jan 31, 2014  
 Page: 1

## Teeco Safety

P.O. Box 7784  
 1360 Grimmert Dr.  
 Shreveport, LA 71107

Voice: 318 424-5176  
 Fax: 318 424-5184

Quoted To:
City of Fayetteville Attn: Accounts Payable 113 West Mountain Fayetteville, AR 72701  Phone: 479 575-8256 Fax: 479 575-8241

Ship to:
Fayetteville Police Dept. 100 West Rock Fayetteville, AR 72701

Drop Shipment

Customer ID	Good Thru	Payment Terms	Sales Rep
FayettevilleC	3/2/14	Net 30 Days	Ed Carey

Quantity	Item	Description	Unit Price	Amount
90.00	TAS-11003	TASER #11003, YELLOW X26P ECD, POWER MAGAZINE AND HOLSTER NOT INCLUDED.	873.85	78,646.50
90.00	TAS-11004	TASER #11004 X26P 4-YEAR EXTENDED WARRANTY	269.99	24,299.10
90.00	TAS-26820	TASER #26820 X2 TASERCAM HD WITH AUTOMAIC SHUT DOWN (AS) FEATURE	540.75	48,667.50
90.00	TAS-26763	TASER #26763 TASERCAM HD 4-YEAR EXTENDED WARRANTY	149.95	13,495.50
90.00	TAS-11501	TASER #11501 X26P BLACKHAWK HOLSTER, RIGHT HAND	51.75	4,657.50
250.00	TAS-44203	TASER #44203 GREEN DOOR CARTRIDGE, 25 FOOT DUTY	26.55	6,637.50
100.00	TAS-34200	TASER #34200 YELLOW DOOR CARTRIDGE, 15 FOOT TRAINING	21.55	2,155.00
2.00	TAS-26762	TASER #26762 TASERCAM HD USB DOWNLOAD KIT	14.95	29.90
1.00	02	SHIPPING AND HANDLING ESTIMATE	1,940.00	1,940.00

Visit us at [www.teecosafety.com](http://www.teecosafety.com) or like us on Facebook!

By \_\_\_\_\_

Thank you for your business!

Subtotal	180,528.50
Sales Tax	
<b>TOTAL</b>	<b>180,528.50</b>

Use Tax 17,602.00

Tax Rebate <5,786.00>

Total 192,344.50

**SOLE SOURCE JUSTIFICATION**

**PURPOSE:**

This form, with one or more categories completed, must accompany purchase requisitions for the sole source procurement of equipment, services or supplies exceeding \$1000 (purchased from State Contract vendors excepted). The purpose of sole source justification is to show that competitive bidding is impractical because only one product or service provider can meet a specific need. Therefore, an equitable evaluation of comparable products or services must be made and documented by the requester who shows that rejection of other products or services is based solely on their failure to meet that need. In cases where no other comparable source can be identified, a technical description of the product requested and a listing of those companies which were considered as alternative sources must be provided. Quality can be a subjective evaluation based upon opinion. Municipal (public) procurement law requires price considerations be evaluated via competitive quoting or bidding.

While all sole source justifications are subject to review, sole source justified purchases of \$20,000.00 or more must be publicly bid or a bid waiver approved by Council. Justifications must contain clear, in-depth, and accurate information in order to avoid protests and the possibility of delaying the procurement.

**INSTRUCTIONS:**

1. Please type or print legible in ink.
2. Complete all categories and sections that apply.
3. Provide full explanation, complete descriptions, and/or list all relevant reasons where space has been provided. Sole Source Justification forms lacking sufficient detail cannot be approved.
4. Sign and date the form in the space provided for "signature".
5. Improperly completed, and/or unsigned forms will be returned to the sender.

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TO: Purchasing Division Date: 01/31/2014  
FROM: Willie Newman Dept: Police  
Names of Requisitioner and Dept. Head  
SUBJECT: Sole Source Justification  
Purchase Requisition p-card (attached)  
Proposed Vendor Teeco Safety  
Product Description X-26P Taser and TaserCam

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**STATEMENT**

I am aware that Fayetteville Code of Ordinances, Title III Administration, Chapter 34, Article II mandates that the procurement of services, materials, equipment and supplies be via competitive quotes whenever the amount is over \$1,000.00. However, I am requesting sole source procurement based on the following criteria. (Attach additional sheets as necessary):

1. The requested product is an integral repair part or accessory compatible with existing equipment. (please state the manufacturer and model number of existing equipment):

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2. The requested product has special design/performance features which are essential to my needs.

**Both A and B portions of this category must be completed.**

- A. These features are:

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- B. In addition to the product requested, I have contacted other suppliers and considered their product of similar capabilities. I find their product unacceptable for the following reasons (identify companies contacted, individuals contacted, model number and specific technical deficiency).

We have performed periodic evaluations on other types conductive energy weapons (CEW) to confirm Taser as our preferred less than lethal weapon. Currently, there are a limited number of other CEWs in the marketplace, and we recently completed the evaluation of Karbon Arms products. On January 10, 2014, Taser International was awarded a permanent injunction against Karbon Arms for patent infringement. Taser remains the best less than lethal weapon in the marketplace.

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3. I have standardized the requested product/service; the use of another would require considerable time and money to evaluate.

**Explain:**

Fayetteville Police Department has used and trained with Tasers since 2004, and found them effective in preventing injury to both officers and suspects that need to be taken into custody. We maintain certified Taser Instructors for training purposes, and have performed periodic evaluations on other types of conductive energy weapons (CEW) to confirm Taser as our preferred less than lethal weapon.

4. The requested product is one which I (or my staff) have specialized training and/or extensive experience. Retraining would incur substantial cost in money and/or time.


Explain: Fayetteville Police Department has used and trained with Tasers since 2004. We maintain in-house certified Taser Instructors and every officer is certified annually on the deployment of this CEW.

5. Please consider sole source approval for this reason(s) (e.g. trade-in allowance; availability of services, parts and maintenance; product is a prototype; inventory of parts are maintained, etc.):

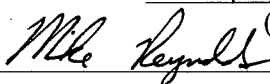
Taser International, the manufacturer of X-26P Tasers and TaserCams, have a very limited number of distributors for their products. Teeco Safety is the regional supplier for Taser International. Teeco Safety has been supplying the Police Department with Taser products since the project inception in 2004.

**Authorization:**

Full Name and Title of Requisitioner Willie Newman, Asst Support Services Mgr

Signature  (typed or printed in ink) Date 1-31-2014

Full Name of Division Head Deputy Chief Mike Reynolds

Signature  (typed or printed in ink) Date JANUARY 31, 2014

- TASER CAM™ HD recorder, Model 26810 (full HD video and audio) and TASER CAM HD with AS (automatic shut-down feature), Model 26820.
  1. TASER CAM HD replacement battery, Model 26764.
  2. The TASER CAM HD can be downloaded by USB with the TASER CAM HD Download Kit, Model 26762.
  3. TASER CAM HD optional 4-year extended warranty, Item Number 26763.
- Power Modules for X26 ECD: Digital Power Magazine (DPM) Model 26700; eXtended Digital Power Magazine (XDPM) model 26701; and Controlled Digital Power Magazine (CDPM), Models 26702 and 26703.
- Power Modules for X2 and X26P ECD's: Performance Power Magazine (PPM) Model 22010; Tactical Performance Power Magazine (TPPM) Model 22012; and Automatic Shut-Down Power Magazine (APPM) Model 22011; eXtended Performance Power Magazine (XPPM) Model 11010.
- Power Module for X3 and X3W ECDs: Enhanced Digital Power Magazine (EPM) Model 33203
- TASER Shockwave ECD, Models 90012, 90011, 90013, and 90010. The TASER Shockwave ECD runs off of a Shockwave Power Magazine (SPM), Model 90007.
- TASER Blast Door Repair Kit Model 44019 and TASER Blast Door Replenishment Kit Model 44023

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<b>TEECO SAFETY IS THE SOLE AUTHORIZED TASER DISTRIBUTOR FOR ARKANSAS</b>	<b>SOLE AUTHORIZED REPAIR FACILITY TASER BRAND PRODUCTS</b>
<b>Teeco Safety Inc. 1360 Grimm Drive, PO Box 7784 Shreveport, LA. 71107 1-800-697-8564 Phone 1-318-424-5184 Fax</b>	<b>TASER International, Inc. 17800 N. 85<sup>th</sup> Street Scottsdale, AZ 85255 Phone: 480-905-2000 or 800-978-2737 Fax: 480-991-0791</b>

Please contact us at 1-800-978-2737 with any questions.

Sincerely,



Jim Halsted  
Vice President, LE Sales  
TASER International, Inc.