

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: SHERIFF'S DEPARTMENT

**SUBMITTAL DATE:
11/27/13**

SUBJECT: APPROVAL OF ProForce LAW ENFORCEMENT AS THE SOLE SOURCE PROVIDER OF TASER WEAPONS AND SUPPLIES FOR THE SHERIFF'S DEPARTMENT, ALL DISTRICTS. [\$600,000-100% ASSET FORFEITURE FUNDS]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Authorize the Purchasing Agent to purchase 400 Taser weapons, equipment, supplies and an extended four-year warranty for an amount not to exceed \$600,000, from ProForce Law Enforcement, without securing competitive bids, in accordance with Ordinance 459.4;

(Continued on Page 2)

FISCAL PROCEDURES APPROVED
PAUL ANGULO, CPA, AUDITOR-CONTROLLER
BY: [Signature] 11/27/13
Departmental Concurrence

Stanley L. Sniff Jr.
 Sheriff-Coroner-PA
 Raymond Gregory, Chief Deputy

Purchasing:
 Mark Seiler, Assistant Director

| FINANCIAL DATA | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost: | POLICY/CONSENT (per Exec. Office) |
|---|-----------------------------|--------------------------|--------------------|-------------------------------|---|
| COST | \$ 600,000 | \$ 0 | \$ 600,000 | \$ 0 | Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/> |
| NET COUNTY COST | \$ 0 | \$ 0 | \$ 0 | \$ 0 | |
| SOURCE OF FUNDS: 100% Asset Forfeiture Funds | | | | Budget Adjustment: No | |
| | | | | For Fiscal Year: 13/14 | |

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

BY:
 Elizabeth J. Olson

MINUTES OF THE BOARD OF SUPERVISORS

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.: 11/09/10 3.13

District: All

Agenda Number:

3-30

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: APPROVAL OF ProForce LAW ENFORCEMENT AS THE SOLE SOURCE PROVIDER OF
TASER WEAPONS AND SUPPLIES FOR THE SHERIFF'S DEPARTMENT, ALL DISTRICTS. [\$600,00-
100% ASSET FROFEITURE FUNDS]**

DATE: 11/27/13

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BACKGROUND:

Summary

On 6/26/07 (3.58), the Board approved the sole source purchase of the Taser, as the Sheriff's less than lethal electroshock or conducted energy weapon and ProForce Law Enforcement Services as the sole source distributor of Taser International Products for Southern California. The Board, on 11/09/10 (3.13), reaffirmed ProForce as the regional sole source distributor of Taser products for Sheriff's purchase until June 30, 2015.

Taser has introduced its X2 model weapon, which incorporates a number of significant improvements over the X26 weapon, currently used by the Sheriff's Department. These improvements have prompted the Department to recommend that it discontinue the use of the Taser X26 weapon and replace it with the Taser X2 model. The improvements include:

- . The X2 Taser is equipped with a second shot that will allow deputies to have a backup shot should the first shot miss, misfire, or they are faced with multiple suspects.
- . It accommodates a longer lasting battery than the X26, allowing it to fire 500 times as compared to the X26 battery life, which allows about 195 firings.
- . It is weather proofed to better resist rain and humidity.
- . Most important, the X2 utilizes a Pulse Calibration System that constantly optimizes the device to deliver the precise amount of electric charge needed to cause optimal incapacitation while enhancing the safety of the subject being exposed to the weapon. The internal current metering system measures the energy delivered by the device, pulse by pulse. It also measures the effective connectivity between the probes, and provides self-calibration and diagnostics. The digital read out screen alerts the user when the device is out of manufacturer specs and needs to be returned to the manufacturer for repair/replacement. The information gathered by the internal current metering system, the Advanced Data Recording and Technology "Trilogy Log" is downloadable. This information has shown to be beneficial in Use of Force cases and the analysis of the efficiency and proper operation of the Taser device.

The Taser X2 is the only conducted energy weapon that has the second shot capability without having to reload. It is also the only weapon that utilizes the Pulse Calibration System. These two attributes justify the Department's recommendation of Taser International Products and its distributor ProForce Law Enforcement as sole source providers for the conducted energy weapons.

The Sheriff's Department has recently analyzed the conducted energy weapon market and found that besides Taser, only two other U.S. companies, Phazzer, Inc. and Karbon Arms, manufacture an elctroshock weapon for law enforcement use in the U. S. However, neither of these firms currently manufactures a weapon that includes the two features specified above.

Additional Fiscal Information

The Sheriff's Department is proposing the purchase of 400 Taser X2 model weapons. ProForce has quoted the Department the following prices: a weapon unit price of \$978 and an extended price of \$391,200 for 400 weapons. Auxiliary weapon equipment, training, handling and sales tax totals \$133,198.91. The Department is also recommending the purchase of a 4 year extended warranty for \$123,596, which calculates to \$308.99 per weapon. As part of this purchase, ProForce has agreed to reimburse \$120 per weapon for the return of 400 damaged weapons for a reduction in the purchase price

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of \$48,000. The grand total for the proposed purchase is \$599,994.91. The Department is proposing that the funding for this purchase come from Asset Forfeiture.

Contract History and Price Reasonableness

As stated above, the Sheriff's Department has been using Taser weapons and purchasing the weapons and auxiliary equipment from ProForce since 2007. ProForce Law Enforcement has updated its verification to Department staff that the pricing offered for this proposed purchase is the same as it is currently offering to all public agencies.

Impact on Citizens and Businesses

The use of the X2 Taser provides Sheriff's personnel a less than lethal means to apprehend suspects, thereby reducing the County's exposure to civil liability and litigation. Further, the Taser Model X2 provides officer safety features including a second/backup shot and a weapon self-check that indicates if the device is ready to fire.

Date: November 26, 2013

From: Will Taylor, Director of Finance Department/Agency: Sheriff's Department

To: Board of Supervisors/Purchasing Agent

Via: Purchasing Agent

Subject: Sole Source Procurement; Purchase of Taser X2 Model

The below information is provided in support of my Department requesting approval for a sole source. Outside of a duly declared emergency, the time to develop a statement of work or specifications is not in itself justification for sole source.

1. **Supply/Service being requested:** The Riverside County Sheriff's Department is seeking to purchase X2 Taser weapons and supplies.
2. **Supplier being requested:** ProForce Law Enforcement
3. **Alternative suppliers that can or might be able to provide supply/service:** ProForce Law Enforcement is the sole source distributor of Taser International Products for Southern California region.
4. **Extent of market search conducted:** A market survey was conducted, and Phazzer Electronics Inc. and Karbon Arms were identified as competitors of ProForce Law Enforcement. However, The Taser X2 is the only electroshock or conducted energy weapon that has the second shot capability without having to reload. It is also the only weapon that utilizes the Pulse Calibration System. These two attributes justify the Department's recommendation of Taser International Products and its distributor ProForce Law Enforcement as sole source providers for the conducted energy weapons.

The technological and officer safety advances of the X2 are the driving force behind our desire to upgrade, along with the fact that our current X26's are failing and are out of warranty.

The Department has had several Board approved Form 11's for the purchase of Tasers weapons over the years (Agenda Item # 3.58 dated 6/26/07; Agenda Item # 3.13 dated 11/9/10).

5. **Unique features of the supply/service being requested from this supplier, which no alternative supplier can provide:** Currently the Department is using the model X26 Taser, and is interested in upgrading to the X2 model. The following are X2 features which no alternative supplier can provide:

The X2 is equipped with a second shot that will allow Deputies to have a backup shot should the first shot miss, misfire, or if faced with multiple suspects. This is a crucial safety factor for Sheriff's Personnel out in the field who are faced with dangerous situation.

Most important, the X2 utilizes a Pulse Calibration System that constantly optimizes the device to deliver the precise amount of electric charge needed to cause optimal incapacitation while enhancing the safety of the subject being exposed to the weapon. The internal current metering system measures the energy delivered by the device, pulse by pulse. It also measures the effective connectivity between the probes, and provides self-calibration and diagnostics. The digital read out screen alerts the user when the device is out of manufacturer specs and needs to be returned to the manufacturer for repair/replacement. The information gathered by the internal current metering system, the Advanced Data Recording and Technology "Trilogy Log" is downloadable. This information has shown to be beneficial in Use of Force cases and the analysis of the efficiency and proper operation of the Taser device.

6. Reasons why my department requires these unique features and what benefit will accrue to the county: The unique features specified above further ensure the safety of Sheriff's personnel. The use of the X2 Taser provides Sheriff's personnel a less than lethal means to apprehend suspects, thereby reducing the Department's exposure to civil liability and litigation. The information gathered by the X2's internal current metering system, the Advanced Data Recording and Technology "Trilogy Log" is downloadable. This information has shown to be beneficial in Use of Force cases and the analysis of the efficiency and proper operation of the Taser device.

7. Price Reasonableness including purchase price and any ongoing maintenance or ancillary costs from the supplier: The Department is proposing the purchase of 400 X2 Tasers. The purchase includes the following: Taser weapons, holsters, dataport download kit, cartridges (two cartridges per Tasers), training and a four year extended warranty on each Taser.

The total cost is \$599,995 (including sales tax and trade-in of 400 non-working Tasers). The vendor has agreed to accept the Department's non-working X26 Tasers, and provide the Department a credit of \$120 per Taser. The entire purchase will be funded through Asset Forfeiture.

The vendor has confirmed that the costs quoted to the Department for this purchase are the same as those it is currently offering to all government agencies.

8. Does moving forward on this product or service further obligate the county to future similar contractual arrangements or any ongoing costs affiliated with this sole source? Although this is a one-time purchase, per Board Agenda #3-13, 11/9/10, the Department also has Board approval through June 30, 2015 to purchase up to \$100,000 in Taser equipment and supplies from ProForce.

9. Period of Performance: This is a one-time purchase, which includes a four-year warranty.

Raymond Agay 11/27/2013
 Chief Deputy Signature Date

 Department Head Signature Date

Purchasing Department Comments:

Approve Approve with Condition/s Disapprove
 Not to exceed: \$ 599,995 ✓ One time Annual Amount through _____

M. J. Stone 11-27-13 14-255
 Purchasing Agent Date Approval Number
(Reference on Purchasing Documents)