

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

357



FROM: Sheriff-Coroner-PA

SUBMITTAL DATE:
09/23/15

SUBJECT: Approval of Taser International Inc. as the Sole Source Provider of Taser Weapons and Supplies for the Sheriff's Department, All Districts. [\$641,630 – Sheriff's Writ Assessment Sub Fund 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Taser International Inc. as the Sole Source Provider of Taser Weapons and Supplies for the Sheriff's Department.
2. Authorize the Purchasing Agent to issue a purchase order for 400 Taser X2 weapons, equipment, supplies and an extended four-year warranty for an amount not to exceed \$641,630 without securing competitive bids, in accordance with Ordinance 459.4.
3. Approve and direct the Auditor-Controller to make the budget adjustments on the attached Schedule A.

(Continued on Page 2)

Stan Sniff
Sheriff-Coroner-PA
Patricia Knudson, Chief Deputy

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 641,630	\$ 0	\$ 641,630	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
SOURCE OF FUNDS: 100% Sheriff's Writ Assessment Sub Fund				Budget Adjustment: Yes	
				For Fiscal Year: 15/16	

C.E.O. RECOMMENDATION:

APPROVE

BY:
Steven G. Horn

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
 Nays: None
 Absent: None
 Date: October 6, 2015
 xc: Sheriff, Purchasing, Auditor

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref.: 9/14 3-100 | District: All | Agenda Number:

3-44

FISCAL PROCEDURES APPROVED
PAUL ANGULO, CPA, AUDITOR-CONTROLLER
BY:
Susana Garcia-Bocanegra
Departmental Controller

PURCHASING & FLEET SERVICES:
Lisa Brandl, Director

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

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Approval of Taser International Inc. as the Sole Source Provider of Taser Weapons and Supplies for the Sheriff's Department, All Districts. [\$641,630 – Sheriff's Writ Assessment Sub Fund 100%]

DATE: 09/23/15

PAGE: 2 of 4 (BR 16-030)

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 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 purchases until June 30, 2015. On 12/10/13 (3-30), the Board approved the Sheriff's purchase of 400 Taser X2 model weapons from ProForce as replacements for the Taser X26 model, which the Sheriff's Department is phasing out. On Sept. 9, 2014 (3-100), the Board approved the Sheriff's purchase of 400 additional Taser X2 model weapons from ProForce Law Enforcement as replacements for the phasing out Taser X26 model.

The Taser X2 is the only conducted energy weapon that has a second shot capability without having to reload. It is also the only weapon that utilizes the Pulse Calibration System. The Pulse Calibration System 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. These two attributes justify the Department's continued recommendation of Taser International Products.

Taser International Products and ProForce Law Enforcement have been identified and approved as sole source providers for the conducted energy weapons. In April of 2015, County Purchasing became aware that Taser International implemented territory changes and identified that Taser's devices and their accessories would no longer be purchased from the ProForce distributor, but directly from the manufacturer, Taser International Inc.

Due to the aging condition of the X26 weapons and the safety advances of the X2, it is important that the Department continue to replace the X26's. An aggressive replacement plan also facilitates training schedules for the new weapon, and reduces the need to stock separate cartridges, repair parts and accessories for two different weapons. With this last purchase, the Sheriff's Department will have 1200 Taser X2's in the field. There is approximately 2500 users both sworn and non-sworn that will require initial training and annual recertification. Each user is required to fire two live cartridges annually as part of recertification. The training and recertification requires Taser International to be approved as a sole source provider for Tasers, cartridges and auxiliary weapon equipment to meet the Departments training and safety standards.

Additional Fiscal Information

The Sheriff's Department is proposing its third and final purchase of 400 Taser X2 model weapons to complete the replacement of the Department's older X26 Taser inventory. Taser International has quoted the Department the following prices: a weapon unit price of \$1,029.95 discounted to \$970.30 for an extended price of \$388,120 for 400 weapons, which is 3% less than the prior purchase in 2014. Auxiliary weapon equipment, training, handling and sales tax totals \$126,209.32. The Department is also recommending the purchase of a 4 year extended warranty for \$127,300, which calculates out to \$318.25

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100%]**

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per weapon. The grand total for the proposed purchase is \$641,629.32. The Department is proposing that the funding for this one time purchase come from the Sheriff's Writ Assessment Sub Fund.

Contract History and Price Reasonableness

As stated earlier, the Sheriff's Department has been using Taser weapons and purchasing the weapons and auxiliary equipment from ProForce/Taser International Inc. since 2007.

Taser International Inc. 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. In addition, the vendor is offering a discount of \$102,165 on the total purchase.

Impact on Citizens and Businesses

The use of the X2 Taser weapon 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 X2 provides officer safety features including a second/backup shot and a weapon self-check that indicates if the device is ready to fire.

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Schedule A

Increase Appropriations:

10000-2500500000-527460	Firearm Equipment and Supplies	\$641,630
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Memo Line Only:

11067-2500500000-321141	Restricted for Sheriff Civil Fees	\$641,630
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Date: September 16, 2015
From: Will Taylor, Director of Administration
To: Board of Supervisors
Via: Ginette Lillibridge, Sheriff's Ben Clark Training Center (PH: 951-486-2755)
Subject: Sole Source Procurement; Request for Taser weapons and supplies

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. **Supplier being requested: Taser International**
2. **Vendor ID: 59212**
3. **Supply/Service being requested: Taser Weapons and supplies for Sheriff's Department.** (*If this request is for professional services, attach the service agreement to this sole source request. The Purchasing Agent, or designee, is the signing authority for agreements unless the service is exempted by Ordinance 459, Board delegated authority or by State law.*)
4. **Alternative suppliers that can or might be able to provide supply/service and extent of market search conducted:** Taser International Products and ProForce Law Enforcement have been identified and approved as sole source providers for the conducted energy weapons by the Board of Supervisors on 6/26/07 (3.58) and reaffirmed on 11/09/10 (3.13). In April of 2015, County Purchasing became aware that Taser International implemented territory changes and identified that Taser's devices and their accessories would no longer be purchased from the ProForce distributor, but directly from the manufacturer, Taser International Inc.
5. **Unique features of the supply/service being requested from this supplier, which no alternative supplier can provide** (if proprietary software or machinery, hardware, please provide a supporting letter from the manufacturer): Taser X2 is the only conducted energy weapon that has a second shot capability without having to reload. It is also the only weapon that utilizes the Pulse Calibration System. The Pulse Calibration System 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. These two attributes justify the Department's continued recommendation of Taser International Products.

6. Reasons why my department requires these unique features and what benefit will accrue to the county: Due to the aging condition of the X26 weapons and the safety advances of the X2, it is important that the Department continue to replace the X26's. An aggressive replacement plan also facilitates training schedules for the new weapon, and reduces the need to stock separate cartridges, repair parts and accessories for two different weapons. With this last purchase, the Sheriff's Department will have 1200 Taser X2's in the field. There is approximately 2500 users both sworn and non-sworn that will require initial training and annual recertification. Each user is required to fire two live cartridges annually as part of recertification. The use of the X2 Taser provide Sheriff's personnel a less than lethal means to apprehend suspects, thereby reducing the County's exposure to civil liability and litigation.

7. Period of Performance: One time purchase of 400 X2 Tasers and supplies

From: _____ to _____
(total number of years)

Is this an annually renewable contract? No Yes

Is this a fixed-term agreement: No Yes

(A fixed-term agreement is set for a specific amount of time; it is not renewed annually. Ensure fixed-term agreements include a cancellation, non-appropriation of funds, or refund clause. If there is no clause(s) to that effect, than the agreement must be submitted to the Board for approval.)


8. Identify all costs for this requested purchase. If approval is for multiple years, ongoing costs must be identified below. If annual increases apply to ongoing costs such as CPI or other contract increases, provide the estimated annual cost for each consecutive year. If the annual increase may exceed the Purchasing Agent's authority, Board approval must be obtained. (Note: ongoing costs may include but are not limited to subscriptions, licenses, maintenance, support, etc.)

Description:	FY15/16	FY16/17	FY 17/18	FY18/19	FY19/20	Total
One-time Costs:						
400 Taser X2's, accessories and supplies	\$475,131.00					\$475,131.00
Tax 8%	\$38,010.49					\$38,010.49
Shipping and handling	\$1,187.83					\$1,187.83
4 year extended warranty	\$127,300.00					\$127,300.00
Ongoing Costs:						
<i>(Insert description)</i>						
Total Costs	\$641,629.30					\$641,629.30

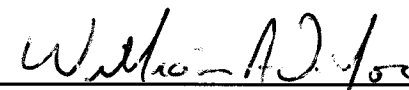
One time cost for 400 X2 Tasers, supplies and 4 years extended warranty (including a discount of \$102,165): \$641,630 – 100% purchased with Sheriff's Writ Assessment Sub Fund

9. **Price Reasonableness:** The Sheriff's Department has been using Taser weapons from ProForce since 2007. The vendor confirmed that the costs quoted to the Department for the purchase are the same as those currently offered to all government agencies. In addition, the vendor is offering a discount of \$102,165.

10. **Projected Board of Supervisor Date (if applicable):** Oct. 6, 2015
 (Form 11s must accompany the sole source request for Purchasing Agent approval.)


 Chief Deputy Signature (or designee) P. Knudson Print Name 09/21/15 Date



 Assistant Sheriff Signature (or designee) LEE WALKER Print Name 9/21/15 Date


 Department Head Signature (or designee) William A. D'Yorio Print Name 9/22/15 Date

Purchasing Department Comments:

Approve Approve with Condition/s Disapprove

Not to exceed: \$ 641,630.00 One time Annual Amount through _____ (Date)


 Purchasing Agent 9/23/15 Date 16-336 Approval Number
 (Reference on Purchasing Documents)

List Attachments:
 Taser International Quote: 8/27/2015
 Taser International Price list
 Form 11 3-100 Sept. 9, 2014

TASER International

Protect Life. Protect Truth.

17800 N 85th St.
 Scottsdale, Arizona 85255
 United States
 Phone: (800) 978-2737
 Fax: 480-991-0791



ANDY STONEBREAKER
 (951) 486-2794
 astonebr@riversidesheriff.org

Quotation
Quote: Q-34318-5
Date: 9/16/2015 3:29 PM
Quote Expiration: 10/13/2015
Contract Start Date*: 10/30/2015
Contract Term: 1 year

Bill To:
 Riverside County Sheriff's Office - CA
 4095 Lemon Street
 Riverside, CA 92501
 US

Ship To:
 ANDY STONEBREAKER
 Riverside County Sheriff's Office - CA
 4095 Lemon Street
 Riverside, CA 92501
 US

SALESPERSON	PHONE	EMAIL	DELIVERY METHOD	PAYMENT METHOD
Brian Black	800-978-2737	bblack@taser.com	Fedex - Ground	Net 30

*Note this will vary based on the shipment date of the product.

This quote contains a discount for the trade-up program, and is intended to cover the purchase of additional accessories and cartridges related to the purchase of a new CEW. The discount is applied to the handle, holster, and battery or the first year TASER Assurance Plan payment. The Certificate of Destruction must be completed and submitted with your signed quote/purchase order to obtain the trade-up credit.

Hardware

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
8	22013	KIT, DATAPORT DOWNLOAD, USB, X2/ X26P	USD 164.75	USD 1,318.00	USD 0.00	USD 1,318.00
400	22002	HANDLE, BLACK, CLASS III, X2	USD 1,029.95	USD 411,980.00	USD 23,860.00	USD 388,120.00
400	22501	HOLSTER, BLACKHAWK, RIGHT, X2, 44HT01BK-R-B	USD 65.85	USD 26,340.00	USD 26,340.00	USD 0.00
1,500	22151	CARTRIDGE, PERFORMANCE, SMART, 25'	USD 31.50	USD 47,250.00	USD 23,625.00	USD 23,625.00
40	22155	CARTRIDGE, PERFORMANCE, SMART, INERT SIM, 25'	USD 43.00	USD 1,720.00	USD 0.00	USD 1,720.00
1,800	22157	CARTRIDGE, PERFORMANCE, SMART, TRAINING, 25'	USD 30.60	USD 55,080.00	USD 0.00	USD 55,080.00
520	22012	TPPM, BATTERY PACK, TACTICAL, PINKY EXTENDER, X2/X26P	USD 54.50	USD 28,340.00	USD 28,340.00	USD 0.00

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
80	22504	HOLSTER, BLACKHAWK, LEFT, X2, 44HT01BK-L-B	USD 65.85	USD 5,268.00	USD 0.00	USD 5,268.00
Hardware Total Before Discounts:						USD 577,296.00
Hardware Net Amount Due:						USD 475,131.00

Extended Warranties

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
400	22014	WARRANTY, 4 YEAR, X2	USD 318.25	USD 127,300.00	USD 0.00	USD 127,300.00
Extended Warranties Total Before Discounts:						USD 127,300.00
Extended Warranties Net Amount Due:						USD 127,300.00

Subtotal	USD 602,431.00
Estimated Shipping & Handling Cost	USD 1,187.83
Estimated Tax	USD 38,010.49
Grand Total	USD 641,629.32

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 current Sales Terms and Conditions for Direct Sales to End User Purchasers or, in the alternative, TASER's current Sales Terms and Conditions for Direct Sales to End User Purchasers for Sales with Financing if your purchase involves financing with TASER. If your purchase includes the TASER Assurance Plan (TAP), then you are also agreeing to TASER's current Sales Terms and Conditions for the AXON Flex™ and AXON Body™ Cameras TASER Assurance Plan (U.S. Only) and/or Sales Terms and Conditions for the X2/X26P and TASER CAM HD Recorder TASER Assurance Plan (U.S. Only), as applicable to your product purchase. All of the sales terms and conditions, as well as, the TAP terms and conditions are posted at <http://www.taser.com/sales-terms-and-conditions>. If your purchase includes AXON hardware and/or EVIDENCE.com services you are also agreeing to the terms in the EVIDENCE.com Master Service Agreement posted at <https://www.taser.com/serviceagreement14>. If your purchase includes Professional Services, you are also agreeing to the terms in the Professional Service Agreement posted at <https://www.taser.com/professional-services-agreement>. If your purchase includes Integration Services, you are also agreeing to the terms in the SOW posted at <https://www.taser.com/integrationstatementofwork14>. 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): _____

Please sign and email to Brian Black at bblack@taser.com or fax to 480-991-0791

THANK YOU FOR YOUR BUSINESS!

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Certificate of Destruction

Agency Name: _____

Quote/PO Number: _____

Product/ Quantity to be destroyed:

M26: _____

X26: _____

Other: _____

Customer certifies that all products for which Customer receives a trade-up discount will be removed from service to be destroyed and rendered permanently nonfunctional. Destruction of units should be performed according to Customer's policy. Products traded-in may not be resold or redistributed. TASER is not responsible for Product warranty or liability related to traded-in products, reserves the right to invoice Customer for the discounted amount for any device not destroyed, and reserves the right to require verification that destruction has been performed.

Form completed by:

Signature (Digital is acceptable or scan)

Printed name, title

Date

Return the signed form to your sales representative along with your purchase order/quote.

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