

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

404



FROM: Sheriff-Coroner-PA

SUBMITTAL DATE:
08/19/14

SUBJECT: Approval of ProForce Law Enforcement as the Sole Source Provider of Taser Weapons and Supplies for the Sheriff's Department, All Districts. [\$653,199 - Booking Fee Recovery Fund 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Authorize the Purchasing Agent to purchase 400 Taser X2 weapons, equipment, supplies and an extended four-year warranty from ProForce Law Enforcement for an amount not to exceed \$653,199, without securing competitive bids, in accordance with Ordinance 459.4.
2. Approve and direct the Auditor-Controller to make the budget adjustments on the attached Schedule A.

(Continued on Page 2)

Raymond Gregory

Stan Sniff
Sheriff-Coroner-PA
Raymond Gregory, Chief Deputy

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 653,199	\$ 0	\$ 653,199	\$ 0	Consent ☐ Policy ☒
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: 100% Booking Fee Recovery Fund

Budget Adjustment: Yes

For Fiscal Year: 14/15

C.E.O. RECOMMENDATION:

APPROVE

BY:

Karen L. Johnson
Karen L. Johnson

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

Prev. Agn. Ref.: 12/10/13 3-30

District: All

Agenda Number:

3-100

FISCAL PROCEDURES APPROVED
PAUL ANGULO, CPA, AUDITOR-CONTROLLER
BY: *Esteban Hernandez* 8/20/14

Departmental Concurrence

Purchasing: *Mark Seiler* Assistant Director

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

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.

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 and its distributor ProForce Law Enforcement as sole source providers for the conducted energy weapons.

Due to the 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.

Additional Fiscal Information

The Sheriff's Department is proposing its second purchase of 400 Taser X2 model weapons. ProForce has quoted the Department the following prices: a weapon unit price of \$999.95 and an extended price of \$399,980 for 400 weapons. Auxiliary weapon equipment, training, handling and sales tax totals \$155,622.38. The Department is also recommending the purchase of a 4 year extended warranty for \$123,596, which calculates out to \$308.99 per weapon. As part of this purchase, ProForce has agreed to reimburse the County \$65 per weapon for the return of 400 damaged weapons, resulting in a reduction in the purchase price of \$26,000. The grand total for the proposed purchase is \$653,198.38. The Department is proposing that the funding for this purchase come from the Booking Fee Recovery 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 since 2007.

At the beginning of the year, Taser instituted a 2.25% price increase on the X2 weapon. ProForce 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.

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. [\$653,199 - Booking Fee Recovery Fund 100%]
DATE: 08/19/14
PAGE: 3 of 4 (BR 15-028)

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.

Schedule A

Increase Appropriations:

10000-2500700000-527460	Firearm Equipment and Supplies	\$653,199
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Memo Line Only:

11085-2500700000-330132	Booking Fees Recovery	\$653,199
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Date: August 20, 2014

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

To: Board of Supervisors/Purchasing Agent

Via: Purchasing Agent

Subject: Sole Source Procurement; Second purchase of 400 Taser X2 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. **Supply/Service being requested:** The Riverside County Sheriff's Department is requesting a second purchase of 400 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:** None. ProForce Law Enforcement is the sole source distributor of Taser International Products for the Southern California region.

Extent of market search conducted: On 12/10/13 (3-30), the Board approved the purchase of 400 X2 Taser weapons and equipment from ProForce Law Enforcement. During the preparation of this Board request, Department staff conducted a market survey, and found that besides Taser, only two other U.S. companies manufactured conducted energy weapons for law enforcement use, Phazzer Electronics Inc. and Karbon Arms. However, the X2 weapon 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 continued 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 Taser weapons are failing, and are no longer covered under warranty.

4. **Unique features of the supply/service being requested from this supplier, which no alternative supplier can provide:** As stated above, the X2 has two 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.

Most importantly, the X2 utilizes a Pulse Calibration System, which 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 system's 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.

- 5. 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 weapon 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.

Due to the 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 repair parts and accessories for two different weapons.

- 6. Price Reasonableness including purchase price and any ongoing maintenance or ancillary costs from the supplier:** The Department is proposing its second purchase of 400 X2 Taser weapons. The purchase includes the following: Taser weapons, holsters, dataport download kit, miscellaneous cartridges, training and a four year extended warranty on each Taser.

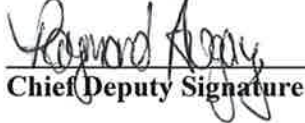
The total cost is \$653,199 (including sales tax and trade-in of 400 non-working X26 weapons). The vendor has agreed to accept the Department's non-working X26's, and will provide the Department a credit of \$65 per weapon. The entire purchase will be funded through the Booking Fee Recovery sub fund.

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.

- 7. 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?** The Department ultimately needs to replace 1,200 X26 weapons. As previously stated, the Board has approved the first purchase of 400 X2 weapons. This proposed purchase of 400 X2's is phase two of the replacement project. However, the last phase has not yet been scheduled.

The Department also has Board approval (11/9/10 3.13) through June 30, 2015 to purchase up to \$100,000 annually in Taser equipment and supplies from ProForce.

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


Chief Deputy Signature

8/25/2014
Date

Department Head Signature

Date

Purchasing Department Comments:

Approve

Approve with Condition/s

Disapprove

Not to exceed: \$ 653,199

One time

Annual Amount through 6-30-15


Purchasing Agent

8-25-14
Date

15-166
Approval Number
(Reference on Purchasing Documents)