

RESOLUTION NO. 2021-93

AUTHORIZING CONTRACT NO. 2021-141 WITH AXON ENTERPRISE, INC. TO PROVIDE TASER 7 PROGRAM EQUIPMENT AND SERVICES IN AN AMOUNT NOT TO EXCEED \$103,178.00 PER YEAR FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$515,890.00 FOR A PERIOD OF FIVE YEARS (GENERAL FUND, TRANSIT POLICE DEPARTMENT BUDGET)

WHEREAS, the Authority currently utilizes Tasers when performing its transit police duties; and

WHEREAS, the Authority utilizes Axon Enterprise, Inc. located at 17800 North 85th Street, Scottsdale, Arizona 85255 for its Taser equipment; and

WHEREAS, the Ohio Revised Code, Section 306.43(H)(3) provides that competitive bidding is not required when the expenditure is for a renewal or renegotiation of a lease or license for telecommunications or electronic data processing equipment, services, or systems, or for the upgrade of such equipment, services, or systems, or for the maintenance thereof as supplied by the original source or its successors or assigns; and

WHEREAS, the Authority needs to replace old and outdated Taser models from the original source, Axon Enterprise, Inc. because it is the only vendor that can provide an upgrade to the new model Taser 7 certification plan with virtual reality, equipment, and related services; and

WHEREAS, Axon Enterprise, Inc., has offered to provide Taser 7 program equipment and related services for the upgrade, in an amount not to exceed \$103,178.00 per year for a total contract amount not to exceed \$515,890.00 for a period of five years; and

WHEREAS, the General Manager, Chief Executive Officer deems the negotiated offer of Axon Enterprise, Inc. to be in the best interest of the Authority, price and other factors considered, and recommends acceptance thereof by the Board of Trustees.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, and Ohio:

Section 1. That the offer of Axon Enterprise, Inc. to provide Taser 7 program equipment and related services, is hereby accepted.

Section 2. That the General Manager, Chief Executive Officer of the Authority be and she is hereby authorized to enter into a contract with Axon Enterprise, Inc. to provide Taser 7 program equipment and related services, for a period of five years.

Section 3. This procurement will be funded through the General Fund, Transit Police Department budget, in an amount not to exceed \$103,178.00 per year, for a total contract amount not to exceed \$515,890.00 for a period of five years.

Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon appropriation of future funds, compliance by the contractor to the Specifications and Addenda thereto, if any; the Affirmative Action Plan adopted by the Board of Trustees; bonding and insurance requirements and all applicable laws relating to contractual obligations of the Authority.


Section 5. That the Greater Cleveland Regional Transit Authority's Board of Trustees expects that Axon Enterprise, Inc. will attempt to exceed the 0% DBE goal assigned to this procurement.

Section 6. That this resolution shall become effective immediately upon its adoption.

Adopted: October 26, 2021



President

Attest: 

Secretary-Treasurer



TITLE/DESCRIPTION: CONTRACT: TASER 7 PROGRAM EQUIPMENT AND SERVICES VENDOR: AXON ENTERPRISE, INC. AMOUNT: NOT TO EXCEED \$103,178.00 PER YEAR, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$515,890.00 FOR A PERIOD OF FIVE YEARS	Resolution No.: 2021-93
	Date: October 21, 2021
	Initiator: Transit Police
ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 **PURPOSE/SCOPE:** This action will allow the Authority to enter into a sole source contract to provide a comprehensive Taser program equipment and services to its Transit Police Officers that includes training, certification, materials, Taser units, licenses, equipment, and other related services for a period of five years.

- 2.0 **DESCRIPTION/JUSTIFICATION:** Conducted energy weapons (CEW), commonly referred to as "Tasers" allow transit police officers an important tool that bridges the gap between open hand control techniques and lethal force. CEW can be used at distances of up to 27 feet, depending on what hardware is deployed and are useful in taking people into custody that would be otherwise subjected to more significant amounts of force. The Taser program will reduce the likelihood of officers being injured while dealing with violent and combative subjects. The Authority will be obtaining the Taser 7 units in the yellow handle version, allowing officers the greatest possible chance of recognizing it as a nonlethal CEW and not a lethal handgun. The Taser 7 energy weapon program is necessary so that all Greater Cleveland Transit Police Officers will each have a department issued Taser, equipment, training, and other related services. This will specifically allow the Authority to purchase energy weapon program management, Taser 7 model units, licenses, warranty, the Taser 7 certification plan and add-ons, hands on-weapon training through virtual reality, equipment, materials, and other related services. All equipment includes a five-year warranty.

- 3.0 **PROCUREMENT BACKGROUND:** The sole source contract is exempt from competitive bidding as authorized by Section 306.43 (H)(3) of the Ohio Revised Code. This procurement will allow the Authority to upgrade its current Taser program, which utilizes older Taser models, with 130 of the Taser 7 model units and will include licenses, training, equipment, and related services in an amount not to exceed \$103,178.00 per year, for a total contract amount not to exceed \$515,890.00 for a period of five years. The upgrade includes a discount for trade-in of older Taser models for a total value of \$17,010.00.

 A cost analysis has been performed and the Procurement Department has determined the negotiated proposal from Axon is fair and reasonable to the Authority.

- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements have been met. A 0% DBE goal was established for this procurement due to the lack of certified DBE firms.

- 5.0 **POLICY IMPACT:** Does not apply.

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- 6.0 **ECONOMIC IMPACT:** This procurement will be funded through the General Fund, Transit Police Department budget, in an amount not to exceed \$103,178.00 per year, for a total contract amount not to exceed \$515,890.00 for a period of five years.
- 7.0 **ALTERNATIVES:** Reject this offer. Rejection of this offer would leave each transit police officer without their own individual yellow handle department issued Taser.
- 8.0 **RECOMMENDATION:** This procurement was discussed by the Organizational, Services & Performance Monitoring Committee at the October 12, 2021 meeting. It is recommended that the offer of Axon Enterprise, Inc. be accepted and the resolution passed authorizing the General Manager, Chief Executive Officer to enter into a contract.
- 9.0 **ATTACHMENTS:** None.

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.



Audie R. B.
General Manager, Chief Executive Officer