

South Portland City Council
Position Paper of the Interim City Manager

Subject:

ORDER #26-16/17 – Award of a sole source bid to Taser International of, Scottsdale, AZ, for Conducted Electrical Weapons (CEW) for the Police Department. Passage requires majority vote.

Position:

This item is for an award of a sole source bid for the purchase of Conducted Electrical Weapons (CEW) for the Police Department. These CEWs were included in the FY17CIP.

TASER technology is designed to use electrical impulses similar to those in your body's nervous system to cause stimulation of the sensory and motor nerves. Neuro Muscular Incapacitation (NMI) occurs when a CEW is able to cause involuntary stimulation of both the sensory nerves and the motor nerves. It is not dependent on pain and can be effective on subjects with a high level of pain tolerance.

Previous generations of stun guns primarily affected the sensory nerves only, resulting in pain compliance, which is not as effective and some people with a high tolerance to pain (e.g., a drug abuser, person in serious psychological distress, or a trained, focused fighter) may not be affected by the pain or might be able to fight through it.

Ordinance 2-167B allows for purchases, like this request, to be handled through a sole source bid. The need to maintain consistency with the other cardiac monitors is a must and deviating away from the same specifications would be problematic for the Fire Department for this piece of equipment.

Sec. 2-167B. Exemption from competitive bidding--Sole source.

Occasions may arise when competition among vendors is not possible for a particular purchase. These situations may occur when (a) there is clearly and legitimately only one source capable of supplying the subject matter in a timely fashion; (b) the purchase is of such a specialized nature or related to a specific geographic location that only a single source, by virtue of experience, expertise, proximity, or ownership of intellectual property rights, could most satisfactorily provide the subject matter; or (c) the federal or state government or other provider of funds for the subject matter being purchased has imposed clear and specific restrictions on the use of the funds in a way that restricts the

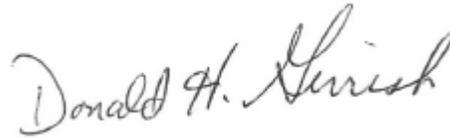
procurement to only one vendor. The city manager and the director of finance may approve negotiated procurement of goods or services without requiring bids if it is determined from all information submitted by the department head to the purchasing agent that steps were taken to verify that the necessary features provided by the proposed vendor are not available from other vendors; that the use of a specific product, manufacturer or vendor is required to maintain consistency of equipment; and that no similar standard goods would reasonably satisfy the city's requirements.

The cost will be funded from the Police Department CIP17 Conducted Electrical Weapons Account

Attached is a memorandum from Lt. Frank Clark regarding this bid in detail. Both Lt. Clark and Chief Googins will be at Monday's meeting to answer any questions.

Requested Action:

Council passage of ORDER #26-16/17.

A handwritten signature in cursive script that reads "Donald H. Gurish". The signature is written in dark ink and is positioned above a horizontal line.

Interim City Manager



Police Department

MEMORANDUM

TO: Chief Edward Googins
FROM: Lt. Frank Clark
DATE: 07/22/2016
SUBJECT: Sole Source Purchase Request

As you know, during the FY17 CIP process, the City Council approved \$39,855 for the purchase of Conducted Electrical Weapons (CEWs).

In accordance with the city's purchasing ordinances (§ 2-167-B), I would request an exemption from competitive bidding process and approval for a sole source purchase of the CEWs from:

Taser International
17800 N. 85th Street
Scottsdale, AZ 85255

Taser International is the sole source of the CEW being requested. No alternate vendor is available.

CEWs manufactured by Taser International have been used exclusively by the police department since 2003. The department currently has approximately thirty-five (35) Taser International brand CEWs in inventory.

All of the department's officers have been trained in the use of this particular less lethal response option. Using one manufacturer's CEW model will provide and maintain consistency of both the training program for department personnel, and the familiarity of personnel with the CEW carried by all officers throughout the agency.

As we move to finalize full deployment, it is my belief that no other competitive product would reasonably satisfy our current needs and requirements.

I have attached the current quote from Taser International, along with a sole source letter.

If you need any additional information, please let me know.

30 Anthoine Street
South Portland, ME 04106
207-799-5511 - Main
207-799-4810 - Fax

TASER International

Protect Life. Protect Truth.

17800 N 85th St.
Scottsdale, Arizona 85255
United States
Phone: (800) 978-2737
Fax: (888) 855-5281



Frank Clark
(207) 799-5511
francl@southportland.org

Quotation

Quote: Q-65485-1
Date: 7/19/2016 7:10 AM
Quote Expiration: 8/5/2016
Contract Start Date*: 8/25/2017
Contract Term: 1 year

AX Account Number:
106824

Bill To:
South Portland Police Department - ME
30 ANTHOINE ST.
South Portland, ME 04106
US

Ship To:
Frank Clark
South Portland Police Department - ME
30 ANTHOINE ST.
South Portland, ME 04106
US

SALESPERSON	PHONE	EMAIL	DELIVERY METHOD	PAYMENT METHOD
Ashley Bittl	800-978-2737	abittl@taser.com	Fedex - Ground	Net 30

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

Hardware

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
29	11002	HANDLE, BLACK, CLASS III, X26P	USD 931.45	USD 27,012.05	USD 0.00	USD 27,012.05
25	11501	HOLSTER, BLACKHAWK, RIGHT, X26P	USD 55.11	USD 1,377.75	USD 0.00	USD 1,377.75
38	22011	APPM, BATTERY PACK, AUTO SHUT OFF, X2/X26P	USD 68.15	USD 2,589.70	USD 0.00	USD 2,589.70
5	11504	HOLSTER, BLACKHAWK, LEFT, X26P	USD 55.11	USD 275.55	USD 0.00	USD 275.55
Hardware Total Before Discounts:						USD 31,255.05
Hardware Net Amount Due:						USD 31,255.05

Extended Warranties

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
29	11004	WARRANTY, 4 YEAR, X26P	USD 287.68	USD 8,342.72	USD 0.00	USD 8,342.72
Extended Warranties Total Before Discounts:						USD 8,342.72
Extended Warranties Net Amount Due:						USD 8,342.72

Subtotal	USD 39,597.77
Estimated Shipping & Handling Cost	USD 150.00
Grand Total	USD 39,747.77

**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 Master Services and Purchasing Agreement posted at www.taser.com/legal. 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): _____

Quote: Q-65485-1

Please sign and email to Ashley Bittl at abittl@taser.com or fax to (888) 855-5281

THANK YOU FOR YOUR BUSINESS!

'Protect Life' and © are trademarks of TASER International, Inc., and TASER® is a registered trademark of TASER International, Inc., registered in the U.S.
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17800 N. 85th St., Scottsdale, Arizona 85255 * 480-991-0797 * Fax 480-991-0791 * www.TASER.com

January 4, 2016

To: United States state, local and municipal law enforcement agencies

Re: Sole Manufacturer Letter for TASER International, Inc.'s Conducted Electrical Weapons, on-Officer Cameras, and Evidence.com Data Management Solutions

TASER International, Inc. (TASER), is the sole manufacturer for TASER brand conducted electrical weapons (CEWs) and Axon brand products. TASER is also the sole distributor of all Axon brand products in the USA and the sole distributor of all TASER brand products in the States of AR, CT, DE, FL, GA, HI, IA, IL, IN, KS, LA, MA, MD, ME, MN, MO, MS, NC, ND, NE, NH, NJ, NY, OK, OR, PA, RI, SC, SD, TX, VA, VI, VT, WI, WV, and the District of Columbia. TASER is also the sole developer and offeror of the Evidence.com data management services.¹

TASER CEW Descriptions

X2 CEW

- Multiple-shot CEW
- High efficiency flashlight
- Static dual LASERS (used for target acquisition)
- ARC switch enables drive-stun with or without a Smart Cartridge installed
- Central Information Display (CID): Displays mission-critical data such as remaining battery energy, burst time, operating mode, and user menu to change settings and view data on a yellow-on-black display
- The Trilogy log system records information from a variety of sensors into three data logs: Event log, Pulse log, and Engineering log. Data can be downloaded using a universal serial bus (USB) data interface module connected to a personal computer (PC). Data may be transferred to Evidence.com services.
- Real-time clock with back-up battery
- Onboard self-diagnostic and system status monitoring and reporting
- Ambidextrous safety switch
- Capable of audio/video recording with optional TASER CAM HD recorder
- The trigger activates a single cycle (approximately five seconds). Holding the trigger down will continue the discharge beyond the standard cycle (except when used with an APPM or TASER CAM HD AS). The CEW cycle can be stopped by placing the safety switch in the down (SAFE) position.
- Compatible with TASER Smart cartridges only

X26P CEW

- High efficiency flashlight
- Red LASER (used for target acquisition)
- Central Information Display (CID): Displays data such as calculated remaining energy, burst time, and notifications
- The Trilogy log system records information from a variety of sensors into three data logs: Event log, Pulse log, and Engineering log. Data can be downloaded using a universal serial bus (USB) data interface module connected to a personal computer (PC). Data may be transferred to Evidence.com services.
- Real-time clock with back-up battery
- Onboard self-diagnostic and system status monitoring and reporting
- Ambidextrous safety switch

¹ Evidence.com is both a division of TASER and a data management product solution offered by TASER. Evidence.com is not a separate corporate entity.



- Capable of audio/video recording with optional TASER CAM HD recorder
- The trigger activates a single cycle (approximately five seconds). Holding the trigger down will continue the discharge beyond the standard cycle (except when used with an APPM or TASER CAM HD AS). The CEW cycle can be stopped by placing the safety switch in the down (SAFE) position.
- Compatible with TASER standard series cartridges

Axon Signal Performance Power Magazine (SPPM)

- Battery pack for the X2 and X26P conducted electrical weapons
- Shifting the safety switch from the down (SAFE) to the up (ARMED) positions sends a signal from the SPPM. Upon processing the signal, an Axon system equipped with Axon Signal technology transitions from the BUFFERING to EVENT mode.

TASER Brand CEW Model Numbers

1. Conducted Electrical Weapons (CEWs):
 - TASER X2 Models: 22002 and 22003
 - TASER X26P Models: 11002 and 11003
2. Optional Extended Warranties for CEWs:
 - X2 - 4-year extended warranty, item number 22014
 - X26P - 2-year extended warranty, item number 11008
 - X26P - 4-year extended warranty, item number 11004
3. TASER standard cartridges (compatible with the X26P; required for this CEW to function in the probe deployment mode):
 - 15-foot Model: 34200
 - 21-foot Model: 44200
 - 21-foot non-conductive Model: 44205
 - 25-foot Model: 44203
 - 35-foot Model: 44206
4. TASER Smart Cartridges (compatible with the X2; required for this CEW to function in the probe deployment mode):
 - 15-foot Model: 22150
 - 25-foot Model: 22151
 - 25-foot inert simulation Model: 22155
 - 25-foot non-conductive Model: 22157
 - 35-foot Model: 22152
 - Inert Smart Cartridge Model: 22153
5. TASER CAM HD recorder Model: 26810 (full HD video and audio) and TASER CAM HD with AS (automatic shut-down feature) Model: 26820. The TASER CAM HD is compatible with both the X26P and X2 CEWs.
 - TASER CAM HD replacement battery Model: 26764
 - TASER CAM HD Download Kit Model: 26762
 - TASER CAM HD optional 4-year extended warranty, item number 26763
6. Power Modules (Battery Packs) for X26P and X2 CEWs:
 - Performance Power Magazine (PPM) Model: 22010
 - Tactical Performance Power Magazine (TPPM) Model: 22012
 - Automatic Shut-Down Performance Power Magazine (APPM) Model: 22011
 - eXtended Performance Power Magazine (XPPM) Model: 11010
 - eXtended Automatic Shut-Down Performance Power Magazine (XAPPM) Model: 11015
 - Axon Signal Performance Power Magazine (SPPM) Model: 70116
7. TASER Dataport Download Kits:

- Dataport Download Kit for the X2 and X26P Model: 22013
- 8. TASER Blast Door Repair Kit Model 44019 and TASER Blast Door Replenishment Kit Model 44023
- 9. Conductive Target front Model 80000 and Conductive Target back, Model 80001
- 10. TASER Simulation Suit II Model 44550

TASER Digital Evidence Solution Description

Axon Body 2 Video Camera

- Video playback on mobile devices in the field via Bluetooth pairing
- Retina Low Light capability sensitive to less than 1 lux
- Audio tones and haptic (vibration) notification to alert user of usage
- Audio mute during event option
- Wi-Fi capability
- High, medium, and low quality recording available (customizable by the agency)
- Up to two-minute buffering period to record footage before pressing record button
- Multiple mounting options using holster attachment: shirt, vest, belt, and dash mounts available
- 12+ hours of battery operation per shift (even in recording mode)
- LED lights to show current battery level and operating mode
- 143-degree lens
- Includes Axon Signal technology

Axon Fleet Camera

- In-car camera with the technological advantages of the Axon Body 2 camera
- Flexible mount that enables pointing the camera in multiple directions
- Automatic transition from buffering to event mode in an emergency vehicle equipped with the Axon Signal Unit

Axon Signal Unit (ASU)

- Communications device that can be installed in emergency vehicles.
- With emergency vehicle light bar activation, or other activation triggers, the Axon Signal Unit sends a signal. Upon processing the signal, an Axon system equipped with Axon Signal technology transitions from the BUFFERING to EVENT mode.

Axon Interview Solution

- High-definition cameras and microphones for interview rooms
- Covert or overt camera installations
- Touch-screen user interface
- Motion-based activation
- Up to seven-minute pre- and post-event buffering period
- Upload to Evidence.com services

Axon Flex Camera (DVR)

- Video playback on mobile devices in the field via Bluetooth pairing
- Retina Low Light capability sensitive to less than 1 lux
- Audio tones to alert user of usage
- High, medium, and low quality recording available (customizable by the agency)
- 30-second buffering period to record footage before pressing record button
- Multiple mounting options using magnetic attachment: head, collar, shoulder, helmet, ball cap, car dash, and Oakley sunglass mounts available

Axon Flex Controller

- 12+ hours of battery operation per shift (even in recording mode)

- LED lights to show current battery level and operating mode
- Tactical beveled button design for use in pocket
- Available with Axon Signal technology

Axon Body Video Camera

- Video playback on mobile devices in the field via Bluetooth pairing
- Retina Low Light capability sensitive to less than 1 lux
- Audio tones to alert user of usage
- High, medium, and low quality recording available (customizable by the agency)
- 30-second buffering period to record footage before pressing record button
- Multiple mounting options using holster attachment: shirt, vest, belt, and dash mounts available
- 12+ hours of battery operation per shift (even in recording mode)
- LED lights to show current battery level and operating mode
- Tactical beveled button design for use in pocket
- 130-degree lens

Axon Dock

- Automated docking station uploads to Evidence.com services through Internet connection
- No computer necessary for secure upload to Evidence.com
- Charges and uploads simultaneously

Axon Dock 2

- For use with the Axon Body 2 camera
- Automated docking station uploads to Evidence.com services through Internet connection
- No computer necessary for secure upload to Evidence.com
- Charges and uploads simultaneously

Evidence.com Data Management System

- Software as a Service (SaaS) delivery model that allows agencies to manage and share digital evidence without local storage infrastructure or software needed
- SaaS model reduces security and administration by local IT staff: no local installation required
- Automatic, timely security upgrades and enhancements deployed to application without the need for any local IT staff involvement
- Securely share digital evidence with other agencies or prosecutors without creating copies or requiring the data to leave your agency's domain of control
- Controlled access to evidence based on pre-defined roles and permissions and pre-defined individuals
- Password authentication includes customizable security parameters: customizable password complexity, IP-based access restrictions, and multi-factor authentication support
- Automated category-based evidence retention policies assists with efficient database management
- Ability to recover deleted evidence within 7 days of deletion
- Stores and supports all major digital file types: .mpeg, .doc, .pdf, .jpeg, etc.
- Requires NO proprietary file formats
- Ability to upload files directly from the computer to Evidence.com via an Internet browser
- Data Security: Robust Transport Layer Security (TLS) implementation for data in transit and 256-bit AES encryption for data in storage
- Security Testing: Independent security firms perform in-depth security and penetration testing
- Reliability: Fault- and disaster-tolerant infrastructure in at least four redundant data centers in both the East and West regions of the United States
- Chain-of-Custody: Audit logs automatically track all system and user activity. These logs cannot be edited or deleted, even by account administrators and IT staff
- Protection: With no on-site application, critical evidence stored in Evidence.com is protected from local malware that may penetrate agency infrastructure
- Stability: TASER International is a publicly traded company with stable finances and funding, reducing

- concerns of loss of application support or commercial viability
- Application and data protected by a CJIS and ISO 27001 compliant information security program
- Dedicated information security department that protects Evidence.com and data with security monitoring, centralized event log analysis and correlation, advanced threat and intrusion protection, and incident response capabilities
- Redact videos easily within the system, create tags, markers and clips, search seven fields in addition to five category-based fields, create cases for multiple evidence files

Evidence.com for Prosecutors

- All the benefits of the standard Evidence.com services
- Ability to share information during the discovery process
- Standard licenses available for free to prosecutors working with agencies already using Evidence.com services
- Unlimited storage for data collected by Axon cameras and Evidence Mobile

Axon Capture Application

- Free app for IOS and Android mobile devices
- Allows users to capture videos, audio recordings, and photos and upload these files to their Evidence.com account from the field
- Allows adding metadata to these files, such as: Category, Title, Case ID, and GPS data

Axon View Application

- Free app for IOS and Android mobile devices
- Allows user to view the camera feed from a paired Axon Body, Axon Body 2, or Axon Flex camera in real-time
- Allows for playback of videos stored on a paired Axon Body Axon Body 2, or Axon Flex system
- Allows adding meta-data to videos, such as: Category, Title, Case ID, and GPS data

TASER Professional Services

- Dedicated implementation team
- Project management and deployment best practices aid
- Training and train-the-trainer sessions
- Integration services with other systems

TASER Customer Support

- Online and email-based support available 24/7
- Human phone-based support available Monday–Friday 7:00 AM–5:00 PM MST; support is located in Scottsdale, AZ, USA
- Library of webinars available 24/7
- Remote-location troubleshooting



CITY OF SOUTH PORTLAND

THOMAS E. BLAKE
Mayor

DON GERRISH
Interim City Manager

SALLY J. DAGGETT
Jensen Baird Gardner & Henry

EMILY F. CARRINGTON
City Clerk

IN CITY COUNCIL

ORDER #26-16/17

ORDERED, that award of sole source bid to Taser International, of Scottsdale, AZ, in the amount of thirty-nine thousand seven hundred forty-seven dollars and seventy-seven cents (\$39,747.77) for the purchase of Conducted Electrical Weapons for the Police Department.

Said amount shall be charged to the FY17 Conducted Electrical Weapons Account #406365-652502-17633.

Fiscal Note: \$39,747.77

Dated: August 1, 2016

District One
CLAUDE V. Z. MORGAN

District Two
PATRICIA A. SMITH

District Three
EBEN C. ROSE

District Four
LINDA C. COHEN

District Five
BRAD FOX

At Large
MAXINE R. BEECHER

At Large
THOMAS E. BLAKE