



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 5/30/2023 **In control:** Public Safety Committee

On agenda: 7/10/2023 **Final action:** 7/13/2023

Title: To authorize the Director of the Department of Public Safety, on behalf of the Division of Police, to enter into contract with Pen-Link Ltd. to purchase and install an upgraded computer software system that aids in obtaining and analyzing electronic information crucial to resolving cases; to waive the competitive bidding provisions of the Columbus City Codes; and to authorize the expenditure of \$424,791.50 from the Law Enforcement Contraband Seizure Fund. (\$424,791.50)

Sponsors:

Indexes:

Code sections:

Attachments: 1. BidWaiverForm_Pen Link, 2. Pen Link Quote, 3. Sam.gov and State of Ohio searches, 4. 2023 Pen Link Bid Waiver

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|-------------------------|--------|
| 7/13/2023 | 1 | CITY CLERK | Attest | |
| 7/11/2023 | 1 | MAYOR | Signed | |
| 7/10/2023 | 1 | COUNCIL PRESIDENT | Signed | |
| 7/10/2023 | 1 | Columbus City Council | Approved | Pass |
| 6/26/2023 | 1 | Columbus City Council | Read for the First Time | |

BACKGROUND: This legislation will authorize the Director of Public Safety, on behalf of the Division of Police, to enter into contract with Pen-Link Ltd. for the purpose of upgrading and expanding this investigative tool. Pen-Link is a computer software investigative tool that takes in historical data from search warrants. The information may come from different electronic sources such as cell phones and social media accounts. The new upgraded system will allow investigators to conduct live monitoring and view conversations in real-time with images and videos. The updated system will allow users to map call and ping locations on suspects. A new sharing feature will also allow users access to a larger database to search and to determine if a suspect is under investigation by other law enforcement agencies.

Bid Information: The original contract was competitively bid in 2013. Pen-Link is the sole source provider of all Pen-Link Software products, series, training, maintenance, software updates, hardware, and configurations. Pen-Link systems must be purchased and serviced by Pen-Link or the agency risks voiding warranties. Pen-Link utilizes no agents, dealers, or distributors to resell the product and is the only product on the market that utilizes an Oracle Database and interface that allows users to input, analyzes, store and search historic telephone and IP data and cannot be competitively bid. Therefore the Division of Police is asking for a bid waiver to purchase the upgraded and expanded Pen-Link Systems in accordance with relevant provisions of Chapter 329 of the Columbus City Codes.

This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery certified search.

The system will cost \$424,791.50. Funding is contingent on the passage or Ordinance 1188-2023.

FISCAL IMPACT: The expenditure of \$424,791.50 or so much thereof as may be necessary, is hereby authorized to be

expended from the Law Enforcement Contraband Seizure Fund once Ordinance 1188-2023 has been passed by Council.

CONTRACT COMPLIANCE:

Vendor Name: Pen-Link

(DAX Vendor Acct. #: 0020924); CC-020924

Expiration Date: 5/30/2025

To authorize the Director of the Department of Public Safety, on behalf of the Division of Police, to enter into contract with Pen-Link Ltd. to purchase and install an upgraded computer software system that aids in obtaining and analyzing electronic information crucial to resolving cases; to waive the competitive bidding provisions of the Columbus City Codes; and to authorize the expenditure of \$424,791.50 from the Law Enforcement Contraband Seizure Fund. (\$424,791.50)

WHEREAS, this legislation authorizes the Director of Public Safety, on behalf of the Division of Police, to enter into contract with Pen-Link Ltd. to purchase and install an upgraded Pen-Link system that aids in obtaining and analyzing electronic information crucial to resolving cases; and

WHEREAS, the expenditure of \$424,791.50 is authorized from the Law Enforcement Contraband Seizure Fund for this purpose, and

WHEREAS, The Division of Police is requesting a bid waiver to purchase the entire Pen-Link Systems since aspects of the system are sole source, and

WHEREAS, this ordinance requests a waiver of competitive bidding in accordance with relevant sole source provisions of Chapter 329 of the Columbus City Codes; **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1: That the Director of Public Safety, on behalf of the Division of Police, be and is hereby authorized to enter into contract with Pen-Link Ltd. to purchase and install an upgraded Pen-Link system that aids in obtaining and analyzing electronic information crucial to resolving cases.

SECTION 2: That the expenditure of \$424,791.50, or so much thereof as may be necessary, is hereby authorized to be expended from the Law Enforcement Contraband Seizure Fund Object Class 02 Supplies, 03 Services, and 06 Capital as stated in the attachment.

SECTION 3: That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 4: That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

SECTION 5: That Council finds it in the City's best interest to waive the competitive bidding provisions of Chapter 329 of City Code to enter into this contract.

SECTION 6: That this ordinance shall take effect and be in force from and after the earliest period allowed by law.