



## Legislation Details (With Text)

**File #:** 2530-2013      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 10/23/2013      **In control:** Public Safety & Judiciary Committee

**On agenda:** 11/18/2013      **Final action:** 11/20/2013

**Title:** To authorize the Director of Finance and Management to enter into a contract for the purchase of replacement Conducted Electrical Weapons (CEWs), and related warranties and supplies with Vance's Outdoors Inc. for the Division of Police; to authorize the appropriation of \$250,000 within the Law Enforcement Seizure Fund; to authorize a transfer of \$275,461.48 within the Division's General Fund Budget; to authorize the expenditure of \$525,599.35 from the Law Enforcement Seizure, Public Safety Initiative Fund, and the General Fund, to waive the competitive bidding provisions of the Columbus City Codes, 1959; and to declare an emergency. (\$525,599.35)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance 2530-2013 Bid Waiver Form

Date	Ver.	Action By	Action	Result
11/20/2013	1	CITY CLERK	Attest	
11/19/2013	1	MAYOR	Signed	
11/18/2013	1	COUNCIL PRESIDENT	Signed	
11/18/2013	1	Columbus City Council	Approved	Pass

**BACKGROUND:** This ordinance authorizes a contract for the purchase of Conducted Electrical Weapons (CEWs) and associated supplies from Vance's Outdoor Inc., for the Division of Police in the amount of \$525,599.35. The Department of Public Safety, Division of Police needs to establish a contract for the purchase of replacement CEWs and ancillary supplies and warranties because a significant portion of the current CEWs used by Police are either out of certification or soon will be. The Division purchased seventy (70) CEWs and related supplies earlier this year, via 0767-2013, utilizing funds specifically appropriated by City Council this year in the Public Safety Initiative Fund. This ordinance will allow for the purchase of three-hundred forty (340) additional replacement CEWs, along with necessary supplies and warranties.

This ordinance also waives the competitive bidding provisions of Columbus City Codes. The Division of Police believes that only the CEW manufactured by Taser International Inc., is acceptable due to street use, training, certification, and re-certification required for all police officers. There is only one supplier in the Ohio area authorized to the sell CEW's, cartridges, warranties and accessories. Taser International has stated that the only authorized dealer in Ohio is Vance's Outdoors Inc. Therefore, this ordinance requests a waiver of competitive bidding. Another company does manufacture a CEW but the Police Division does not believe it is suitable for its needs. This other product, produced by Karbon Arms, has been tested by Division of Police personnel, and has been determined to not operate in a manner acceptable to those trained in its use. Therefore, the Division recommends that it is in the City's best interest to waive the competitive bidding provisions of the City Code to allow for this purchase.

This ordinance also appropriates funds in the Law Enforcement Seizure Fund and transfers funds within the Division's General Fund Budget.

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.

**Emergency Designation:** Emergency legislation is requested, as Vance's Outdoors Inc. is currently offering a \$105 trade in credit program through the end of December 2013.

Contract Compliance Number: 54-2072038, expires 02/08/2014

**FISCAL IMPACT:** This ordinance authorizes an expenditure of \$525,599.35 from the Law Enforcement Seizure and the General Fund for the purchase of replacement CEW's, CEW supplies, and warranties from Vance Outdoors Inc. The Division has already spent \$199,862.13 out of an appropriated amount of \$200,000 from the Safety Initiative Fund earlier this year for CEW replacements. The remaining \$137.87 will be used in this ordinance. The Division of Police spent \$95,285.00 for CEW supplies in 2012, \$108,145.70 in 2011, and \$98,528.85 in 2010.

To authorize the Director of Finance and Management to enter into a contract for the purchase of replacement Conducted Electrical Weapons (CEWs), and related warranties and supplies with Vance's Outdoors Inc. for the Division of Police; to authorize the appropriation of \$250,000 within the Law Enforcement Seizure Fund; to authorize a transfer of \$275,461.48 within the Division's General Fund Budget; to authorize the expenditure of \$525,599.35 from the Law Enforcement Seizure, Public Safety Initiative Fund, and the General Fund, to waive the competitive bidding provisions of the Columbus City Codes, 1959; and to declare an emergency. (\$525,599.35)

**WHEREAS,** the Division of Police needs to replace outdated CEWs and purchase related warranties and supplies; and

**WHEREAS,** Vance's Outdoors Inc. is the only authorized dealer in Ohio for Taser International, Inc.; and

**WHEREAS,** an appropriation is necessary in the Law Enforcement Seizure Funds for this purchase; and

**WHEREAS,** funds need to be transferred within the Division's General Fund budget to complete this purchase; and

**WHEREAS,** it is in the best interest of the City that competitive bidding be waived for this purchase; and

**WHEREAS,** an emergency exists in the usual daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to enter into contract for the purchase of replacement CEWs, and related warranties and supplies, thereby preserving the public peace, property, health, safety and welfare; now, therefore

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

**SECTION 1.** That the Director of Finance and Management be and is hereby authorized and directed to enter into a contract with Vance's Outdoors Inc. for the option to purchase replacement Conducted Electrical Weapons (CEWs), and related warranties and supplies in accordance with the negotiated pricing of all items specified in the amount of \$525,599.35.

**SECTION 2.** That an appropriation of \$250,000.00 is needed in the Law Enforcement Seizure Fund, Div 30-03, Fund 219 as follows:

OBJ LEVEL (1) 2 | OBJECT LEVEL (3) 2215 | OCA #300988 | Subfund 16 |

**SECTION 3.** That funds in the Division of Police's General Fund Budget, Div 30-03, Fund 010 be transferred as follows:

**From:**

OBJ LEVEL (1) 10 | OBJECT LEVEL (3) 5501 | OCA #900076 | AMOUNT \$275,461.48 |

**To:**

OBJ LEVEL (1) 02 | OBJECT LEVEL (3) 2215 | OCA #301572 | AMOUNT \$275,461.48 |

**SECTION 4.** That the expenditure of \$525,599.35, or so much thereof as may be needed, be and the same is hereby authorized as follows:

DIV 30-03 | Fund 010 | OBJ LEVEL (1) 02 | OBJ LEVEL (3) 2215 | OCA#301572 | Amount \$275,461.48  
DIV 30-03 | Fund 019 | OBJ LEVEL (1) 02 | OBJ LEVEL (3) 2215 | OCA#300988 | Subfund 16 | Amount \$250,000.00  
DIV 30-03 | Fund 016 | OBJ LEVEL (1) 02 | OBJ LEVEL (3) 2215 | OCA#300316 | Amount \$137.87

**SECTION 5.** That in accordance with Section 329.27 of Columbus City Codes, this Council finds it is in the best interest of the City of Columbus to waive the provisions of Section 329.06 of the Columbus City Codes to permit the aforementioned purchase.

**SECTION 6.** 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 7.** That for reasons stated in the preamble hereto, which is hereby made a part thereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from the after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.