

**FORSYTH COUNTY
BOARD OF COMMISSIONERS****Draft**MEETING DATE: SEPTEMBER 12, 2019AGENDA ITEM NUMBER: 22

**SUBJECT: RESOLUTION APPROVING THE PURCHASE OF LAW ENFORCEMENT CAMERA SYSTEMS, EQUIPMENT, LICENSES AND OTHER RELATED SERVICES UNDER AN EXCEPTION TO THE BIDDING LAWS CODIFIED IN N.C.G.S. 143-129(e)(6) AND AWARDING A CONTRACT FOR THE PURCHASE OF LAW ENFORCEMENT CAMERA SYSTEMS, EQUIPMENT, LICENSES AND OTHER RELATED SERVICES TO AXON ENTERPRISE, INC.
(FORSYTH COUNTY SHERIFF'S OFFICE)**

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:**SUMMARY OF INFORMATION:**

National events continue to reveal an urgent need in this country to increase law enforcement transparency and maintain public trust. Camera systems have been shown to improve behaviors of both law enforcement and citizens. The Sheriff's Office takes these needs to heart as they directly fit with the Agency's motto: *One Team. Many Missions. One Community.*

The Forsyth County Sheriff's Office has been using Axon Enterprise, Inc., body camera systems and conducted energy weapons ("Tasers") since February 1, 2016, in a bundled contract, and in-vehicle camera systems since January 1, 2018, in a separate contract. There are also approximately 60 older model Tasers that are mounted with cameras, and that are ten (10) years old and past their useful life.

In the ensuing period of time, the Sheriff's Office has seen an increase in authorized personnel. The authorized full and part-time position count in FY2016 was 560 and for FY2020 the position count is 597, an increase of 37. In addition, in FY2021 and FY2022 the City of Winston-Salem will continue its planned phase-out of the school resource officer program, resulting in additional Sheriff's Office personnel. At present, 21 additional positions are projected. The Sheriff's Office has currently exhausted its supply of camera systems and conducted energy weapon spares and requires additional equipment, "cloud" data storage and user licenses.

The attached Resolution awards a consolidated five-year contract to Axon Enterprise, Inc., for the purchase and periodic refresh of body-worn cameras (298 sets/users), in-vehicle cameras (154 systems), conducted energy weapons (325 units), as well as all associated hardware, equipment and supplies. The contract also includes all training, set-up, "cloud" data storage and user licensing. Per the terms of the contract and attached Resolution, the number of units may be adjusted each fiscal year to correspond with approved staffing levels. Further, the two contracts from 2016 and 2018 will be terminated.

The recommendation for contract award to Axon Enterprise, Inc., is based upon provisions codified in N.C.G.S. 143-129(e)(6). Under these provisions, the formal bid requirements do not apply to

purchases of apparatus, supplies, materials, or equipment when: a needed product is available from only one source of supply; or when standardization or compatibility is the overriding consideration:

•Data Storage – no other vendors currently provide “bundled cloud storage” for data storage. Further, as other law enforcement agencies in the county (City of Winston-Salem and City of Kernersville police departments) both use evidence.com, data can be shared between the local agencies, and the District Attorney’s Office can use online prosecution books.

•Point of View mounting options – none of the other vendors have mounting options adequate for each individual deputy/officer situation. Secure mounting is of critical importance and a one-size fits all solution simply is not sufficient for operational use.

•Camera Battery Life – the battery life for the AXON cameras can last for a full 12-hour shift; this is logistically mission critical.

Funds are appropriated in the Fiscal Year 2019-2020 Sheriff’s Office budget to cover the cost of this award and no other funds are being requested. The following table shows the projected costs based on current authorized positions:

Fiscal Year	<i>Excluding Sales Taxes</i>
	Estimated Cost
FY 2020	\$681,860.71
FY 2021	\$819,640.56
FY 2022	\$819,640.56
FY 2023	\$819,640.56
FY 2024	\$880,713.06
TOTAL:	\$4,021,495.45

ATTACHMENTS: YES NO

SIGNATURE: _____ COUNTY MANAGER DATE: _____

RESOLUTION APPROVING THE PURCHASE OF LAW ENFORCEMENT CAMERA SYSTEMS, EQUIPMENT, LICENSES AND OTHER RELATED SERVICES UNDER AN EXCEPTION TO THE BIDDING LAWS CODIFIED IN N.C.G.S. 143-129(e)(6) AND AWARDING A CONTRACT FOR THE PURCHASE OF LAW ENFORCEMENT CAMERA SYSTEMS, EQUIPMENT, LICENSES AND OTHER RELATED SERVICES TO AXON ENTERPRISE, INC. (FORSYTH COUNTY SHERIFF'S OFFICE)

WHEREAS it is an imperative requirement for law enforcement to maintain transparency and maintain the public trust;

WHEREAS N.C.G.S. 143-129(e)(6) provides that formal bid procedures shall not apply to purchases of apparatus, supplies, materials, or equipment when performance or price competition for a product are not available; when a needed product is available from only one source of supply; or when standardization or compatibility is the overriding consideration;

WHEREAS Axon Enterprise, Inc., is the manufacturer and sole distributor of the TASER Conducted Energy Weapons, Axon brand camera products and is the only vendor with a bundled cloud storage solution, Axon Evidence (Evidence.com) Data Management;

WHEREAS the Forsyth County Sheriff's Office is currently using Axon Enterprise, Inc., body-worn camera systems, as well as in-vehicle camera systems and other equipment since February 1, 2016, and wishes to continue using these systems and services;

WHEREAS the Forsyth County Sheriff's Office has received additional authorized positions since February 1, 2016, and the current inventory of equipment is insufficient;

WHEREAS the Forsyth County Sheriff's Office wishes to eliminate two existing contracts for body worn cameras, electronic conducted weapons and in-car camera systems, consolidate the two contracts and re-set the term for another five years commencing October 1, 2019, and ending September 30, 2024;

WHEREAS the terms of the contract shall authorize an annual adjustment in the number of users and the purchase of additional cameras and services that correspond to changes in staffing levels;

WHEREAS Axon Enterprise, Inc., has submitted a quotation for body-worn camera systems (which includes spares) as well as all hardware, "cloud" data storage, installation/mounting, set-up and training, Computer Aided Dispatch (CAD) integration, Taser conducted energy weapons and in-vehicle camera systems (Axon Fleet) and related warranties for a five-year term at a cost of \$4,021,495.45;

WHEREAS it is the recommendation of the County Manager, the Sheriff, and the Purchasing Director that a contract for the purchase of law enforcement body worn camera system

equipment and services be awarded to Axon Enterprise, Inc., in an amount not to exceed \$4,021,495.45; and

WHEREAS the Chief Financial Officer has determined that sufficient funds are available to cover the cost of this contract;

NOW, THEREFORE, BE IT RESOLVED, by the Forsyth County Board of Commissioners, that a contract for the purchase of law enforcement body worn cameras, equipment, licenses, and services for the Forsyth County Sheriff's Office, is hereby awarded to Axon Enterprise, Inc. in an amount not to exceed \$4,021,495.45;

BE IT FURTHER RESOLVED, that the County Manager and Clerk to the Board are hereby authorized to execute, on behalf of Forsyth County, a contract for the purchase of law enforcement body worn cameras, equipment, licenses, and services be awarded to Axon Enterprise, Inc., in the amount not to exceed \$4,021,495.45, pursuant to the terms of the quotation, subject to a pre-audit certificate thereon by the County Chief Financial Officer, where applicable, and approval as to form and legality by the County Attorney; and

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to execute, on behalf of Forsyth County, contract amendments for these services within budgeted appropriations in the current fiscal year if necessary.

Adopted this 12th day of September 2019.