

## MEMORANDUM

To: City Council

From: David Deutsch  
City Manager

Subject: Request to Waive Bidding Requirements of Section 61 of City Charter to allow the City Manager to Contract for Technology Equipment on behalf of the Police Department with the following vendors via direct sole source purchase authorization from the U.S. Department of Justice (USDOJ) - R-35-10

Vendors: **I. Brekford** – Ecitation Systems  
**II. Dynamic Technologies (Oceans Systems)** – Digital Photo Enhancement System.  
**III. Taser (Lawmen Supply Company, Inc.)** – Taser Systems  
**IV. Motorola** – Radios

The City of Bowie received a grant from the U.S. Department of Justice (USDOJ/COPS) Cops Technology program in the amount of \$500,000.00. The grant provides funding for the purchase of law enforcement technology items for the Bowie Police Department.

The U.S. DOJ provided the City of Bowie with authorization to proceed with direct purchase of the items noted above because they did not exceed DOJ's per item threshold amount of \$100,000.00.

### **I. BREKFORD – SLICK TICKET ECITATION SYSTEM**

The City's request to U.S. DOJ for funding stated that in an effort to further reduce response times and to increase the efficiency of Bowie Police Officers, our intent was to purchase a "state of the art electronic ticketing for officers on patrol". The portable system is essential as the department looks to streamline the ticketing process, while occupying very little space within officers' vehicles. The amount of this Sole Source Request is \$60,000.00 to purchase 40 units.

### Selection Criteria

The following criterion was used for the selection of the Slick Ticket eCitation System by Brekford International:

- Market Research
- System Cost
- Portability
- Easy to Use
- Support & Training
- In use by Maryland State Police
- Overall Functionality of System

### Uniqueness

The Slick Ticket is the first product of its kind on the market and is setting the industry standards in this area. It is portable, space saving, durable (printer/scanner) solution for outfitting police vehicles with this kind of technology. It is also easy to connect and has a *proprietary* wiring system that is unique because it plugs directly into a cigarette lighter and into a *Toughbook* laptop computer with ease; which eliminates the need for costly installation.

### Sole Vendor Determination

Brekford International Corporation is the designer and manufacturer of the Slick Ticket system. Currently there are no other manufacturers of eCitation systems that combine the following functionality into one design:

- Portable
- Over the seat installation
- Built in scanner Built in printer
- Easy connection

### Competition / Market Survey

Brekford is the sole supplier of the “*Slick Ticket*” electronic ticketing program. Their product is the first of its kind and Brekford International is an industry leader in their field and have fully tested the product in their own warehouses, by trained technicians; ensuring the highest level of quality control in testing and manufacturing.

The Maryland State Police have over 1500 of these units in their vehicles already; therefore the system has been put to the test by law enforcement right here in the State of Maryland.

Nationwide, other states anticipate migrating to an electronic ticketing system.

## **II. DYNAMIC TECHNOLOGIES (OCEANS SYSTEMS) – DIGITAL PHOTO ENHANCEMENT SYSTEM**

The grant provides funding of \$20,000.00 for the City of Bowie Police Department to purchase a Digital Photo Enhancement System for use by law enforcement personnel.

In keeping with the Bowie Police Department's goal to become an independent fully staffed and fully operational police department, this purchase will provide the Department with technology that will bring it closer to its' goal. The Ocean Digital Photo Enhancement System is one of the most powerful and widely used systems available. It is used by both large and small law enforcement agencies in the federal, state and local government. The City of Bowie considers Oceans to be a sole source vendor because it can provide the Bowie Police Department with the most advanced, innovative, one step technology currently on the market.

### Selection Criteria

The following criterion was used for the selection of the Ocean Tower, Avid Media Composer System:

- Market Research
- System Cost
- Industry Standards
- Compatibility with other media files
- Support & Training
- Turnkey Solution image processing
- Overall Functionality of System

### Sole Vendor Determination

The Oceans systems uniqueness of items packaged with their product makes a sole source supplier of the Digital Photo Enhancement System. The system is a combination of two industry leaders in this technology; dTective Forensic AV Solution and Avid Technology. These two companies combined hardware components, software, support and training together and this turnkey system solution is only available from Oceans Systems. There are no other authorized dealers.

Oceans is the manufacturer of "dTective Forensic" and sole source provider of the product. Oceans partnered with Avid who is the manufacturer of the video editing software in order to market a turnkey product specifically for use by federal, state and local law enforcement agencies. This partnership provided end users with a direct purchase at discounted pricing. There are no other authorized dealer or authorized support and training entities.

### Competition / Market Survey

The City researched other Digital Photo Enhancement systems manufactured in the U.S., however all of the other companies were located on the west coast and the cost was significantly increased for the following reasons:

- Travel cost involved to view a demonstration of the product(s)
- All of the other systems required independent purchasing of support software from at least two (3) different companies.
- Additional cost
- Local access support & training

Dynamic Technologies dba Oceans Systems is located in nearby Burtonsville, Maryland and is an acceptable vendor to the City of Bowie.

### **III. TASER INTERNATIONAL (LAWMEN SUPPLY COMPANY, INC. – TASER SYSTEMS)**

The grant provides \$60,724.00 in funding for the City of Bowie Police Department to purchase forty seven (47) Tasers with cameras for use by law enforcement personnel.

This purchase will allow for every uniformed officer to be equipped with an X-26 Taser while on duty, ensuring safety of the public. Taser International is the City's Sole Source supplier of this item as they are an industry leader in the field of law enforcement technology equipment. Included with the purchase of the X-26 model Taser are Four (4) Taser Cartridges which will be back-up support equipment for this technology.

Taser International was selected as the sole source because they are the only company world wide that produces an electronic interruption device for use by Law Enforcement personnel. Their product is known to be safe and effective in aiding the reduction of injury to police officers and suspects injuries.

### Selection Criteria

The following criterion was considered in the selection of the X-26 Taser:

- Law Enforcement Practicality
- Safety
- Effectiveness
- Company History/Reputation
- System Cost
- Training
- Customer Support

#### Sole Vendor Determination

The Taser X-26 is unique in that it is the only electronically charged interruption device in use by law enforcement personnel at this time. Currently, there are no other devices on the market for law enforcement use.

All users of the Taser X-26 electronic control device must be trained by a certified Taser instructor.

The sole Authorized Police Distributor for the State of Maryland is Lawmen's Supply Company. In addition, Taser International is the only authorized repair facility for Taser brand products.

Taser International is well known to law enforcement authorities throughout the world and the company's primary focus is equipment for use by law enforcement. The City of Bowie considers Taser International an acceptable company.

The product availability and customer support included with the purchase satisfy the needs of the City of Bowie, Police Department.

#### **IV. MOTOROLA - RADIOS**

The amount of this Sole Source Request is \$95,000.00. The grant provides funding for the City of Bowie, Police Department to purchase a Digital Police Radios for use by law enforcement personnel.

The City of Bowie Police Department has reached a critical juncture regarding its communications capability and is preparing for a conversion to a new 800 MHz system to provide compatibility with that of Prince George's County. This system will also provide accessibility for the Bowie Police Department to all jurisdictions within the state of Maryland, District of Columbia, and Virginia. The City purchased radios under the same conditions from Motorola last year based on a grant from USDOJ.

The City will purchase state of the art "Project 25" specified FDMA (Frequency Division Multiple Access) digital technology through cooperative purchasing agreements with Prince George's County. It will provide funding for nineteen (19) Digital Radios. Prince George's County has already begun its upgrading activities for its radio system to 800 MHz to achieve the needed level of interoperability. Once completed, the improved system will have a positive impact on the day to day missions of each Public Safety agency and the needs of Homeland Security. Prince George's County's negotiations with Motorola include facilities for all municipalities in Prince George's County.

The Prince George's County Office of Homeland Security has completed its competitive bidding process and has selected Motorola as its successful vendor.

#### Selection Criteria

The following criterion was considered in the selection of Motorola:

- Interoperability throughout County
- Cost
- Effectiveness
- Support
- Company History/Reputation

#### Public Exigency

The Motorola Digital Radios are presently in use throughout one half of Prince George's County law enforcement personnel. The Prince George's County Police Department communications system will support and provide interoperability with those utilizing the 800MHz radios effective July 1, 2010. Therefore, the City of Bowie Police Department has an urgent need to acquire the radios, have them programmed and operational by July 1, 2010.

#### Sole Vendor Determination

The Project 25 specified FDMA, 800 MHz system that the Prince George's County (PGC) Police Department is only available from one vendor, Motorola. The Prince George's County Police Department, in negotiating its contract with Motorola included facilities for all the law enforcement jurisdictions within the County; therefore, the pricing of the radios for all jurisdictions is cost-effective.

#### Competition / Market Survey

The system is only available from one source to comply with regional interoperability requirements of the principal communication network in the City's jurisdiction which is the Prince George's County Police Department. The Motorola system selected by PGC is used nation-wide and incorporates the latest technological enhancements. Our ability to piggyback on the PGC contract with Motorola provides access to the requisite technology at the same price as provided to the County and other jurisdictional partners.

### **RECOMMENDATIONS**

We recommend that Council adopt Resolution R-35-10 and authorize the waiver of Section 61 of the City Charter in order to purchase the items noted above in this transmittal.

**RESOLUTION**  
**OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND, WAIVING THE**  
**BIDDING REQUIREMENTS OF SECTION 61 OF THE CITY CHARTER, TO**  
**ALLOW THE CITY TO ENTER INTO A CONTRACT WITH MOTOROLA,**  
**INC., BREKFORD INTERNATIONAL, LAWMEN SUPPLY CO. INC., AND**  
**OCEANS SYSTEMS FOR THE PURCHASE OF LAW ENFORCEMENT**  
**TECHNOLOGY EQUIPMENT; BASED UPON DIRECT PURCHASE**  
**AUTHORIZATION RECEIVED FROM THE U.S. DEPARTMENT OF JUSTICE**  
**(USDOJ)**

**WHEREAS**, the Charter of the City of Bowie, Maryland (hereinafter, “the City”) requires, in Section 61, that all expenditures for, *inter alia*, materials, construction of public improvements or contractual services involving more than ten thousand dollars be made by written contract upon sealed bids to the lowest responsive bid, except where the City Council by two thirds vote waives the bidding requirements for good cause shown; and

**WHEREAS**, the City is in need of procuring a Ecitation System, a Digital Photo Enhancement System, Tasers, and Mobile Radios; and

**WHEREAS**, the City has received a grant from the U.S. Department of Justice for the procurement of a Ecitation System, a Digital Photo Enhancement System, Tasers, and Mobile Radios; and

**WHEREAS**, it is estimated that the contract price of the items to be procured will exceed ten thousand dollars; and

**WHEREAS**, it has come to the City's attention that Motorola, Inc. is the vendor providing the same services to the Prince George's County Police Department and has been previously approved by USDOJ; and

**WHEREAS**, City research has determined that the Brekford International Corporation offers a product that is both unique and one of a kind on the market; and

**WHEREAS**, it has been ascertained that Oceans Systems is a local business and is the sole manufacturer of a turnkey product that demonstrates cost effective procurement; and

**WHEREAS**, it has been found that Lawmen Supply Company, Inc. is the sole supplier, world-wide, of a electronic interruption device for law enforcement personnel; and

**WHEREAS**, the City Council deems the aforestated economic efficiencies to constitute good cause to waive the bidding requirements, otherwise required by the Charter.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Bowie, Maryland, upon a two thirds vote, that the bidding requirements of Section 61 of the City Charter are hereby waived with respect to law enforcement technology items funded by the grant received from the U.S. Department of Justice, to allow the City to enter into contract with Brekford International of Hanover Maryland, for the procurement of Ecitation Systems; Oceans Systems of Burtonsville, Maryland, for the procurement of a Digital Photo Enhancement System; Lawmen Supply Company, Inc., of Clinton,

Maryland, for the purchase of Tasers; and Motorola, Inc. of Schaumburg, Illinois, for the procurement of Mobile Radios; at a total price not to exceed \$235,724.00.

**INTRODUCED AND PASSED** by the Council of the City of Bowie, Maryland at a Meeting on June 7, 2010 by a vote of at least two-thirds of the members of the Council.

**WITNESS:**

**THE CITY OF BOWIE, MARYLAND**

---

Pamela A. Fleming  
City Clerk

---

G. Frederick Robinson, Mayor