CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: El Paso Police Department

AGENDA DATE: May 26, 2009

CONTACT PERSON/PHONE: AC Eric Shelton/564-7310
Terrence Freiburg, Purchasing Manager, 541-4313

DISTRICT(S) AFFECTED: All

SUBJECT:
That City Council approve the purchase of X26E tasers from Taser International (sole source) for the El Paso Police Department totaling $99,747.02. These tasers will be used for on duty purposes.

BACKGROUND / DISCUSSION:
The El Paso Police Department needs tasers for field use. The EPPD currently has 1,026 tasers on hand and this purchase will allow for an additional 122 to be procured. This purchase will equip the remaining officers and also assure that the EPPD will have sufficient levels of tasers on hand for replacements as needed. Due to sole source status plus unique product reliability and because all Department instructors are certified through Taser International training, this vendor has been the supplier for all tasers of the EPPD.

PRIOR COUNCIL ACTION:
The funds were identified for this purpose in the FY 09 confiscated fund budget.

AMOUNT AND SOURCE OF FUNDING:
This purchase of $99,747.02 will be funded through Fund 16411; Dept. ID 21150060; Acct 508007; Class 2100

BOARD / COMMISSION ACTION:
N/A

**********REQUIRED AUTHORIZATION**********

LEGAL: (if required) _____ **FINANCE:** (if required)

DEPARTMENT HEAD: Gregory K. Allen

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

FINANCIAL SERVICES DEPARTMENT
PROJECT FORM

DATE: May 13, 2009

TO: Municipal Clerk

THRU: Terrence Freiburg, Purchasing Manager
FINANCIAL SERVICES – X4313 MWP

FROM: Deniese Baisley
Procurement Analyst – X4263

Please place the following item on the Consent Council Agenda for the Council Meeting of **May 26, 2009**.

Item should read as follows: Request that the Purchasing Manager be authorized to issue Purchase Order(s) to Taser International, the sole source provider of Taser ECD Weapon Systems currently in use by the Police Department, in the amount of $99,747.02.

Department: Police
Funds available in: 21150060-508007-16411-P500232
Funding Source: Confiscated Funds FY09
Amount: $99,747.02
District: ALL

FINANCIAL SERVICES
PURCHASING

SOLE SOURCE AFFIDAVIT

THIS IS AN OFFICIAL PURCHASING DOCUMENT – RETAIN WITH PURCHASE ORDER FILE

Before me, the undersigned official, on this day, personally appeared Justin Hesse, a person known to me to be the person whose signature appears below, whom after being duly sworn upon his/her oath deposed and said:

1. My name is Justin Hesse. I am over the age of 18, have never been convicted of a crime and am competent to make this affidavit.
2. I am an authorized representative of the following company or firm: TASER INTERNATIONAL
3. The above named company or firm is the sole source of the following item(s), product(s) or service(s). TASER BRAND PRODUCTS AND ACCESSORIES.
4. Competition in providing the above named item(s) product(s), service(s) is precluded by the existence of a patent, copyright, secret process or monopoly as stated under Section 252.022, Subchapter A of the Local Governmental Code 7A or as provided for under 7B-F of the same section. Also, attached hereto is a sole source letter, which sets forth the reasons why this bidder is a sole source provider (dated and signed).
5. There is/are no other like item(s) or product(s) available for purchase that would serve the same purpose or function.
6. Note: **This bidder understands that by providing false information on this Sole Source Affidavit, it may be considered a non-responsible bidder on this and future solicitations and may result in discontinuation of any/all business with the City of El Paso.**

Signature

SUBSCRIBED AND SWORN to before me on this 6th day of May, 2009.

NOTARY PUBLIC

Erica Camara Alford

PRINT NAME

Dec 19th 2011

MY COMMISSION EXPIRES

COMPANY: TASER INTERNATIONAL
ADDRESS: 17800 N. 85th STREET
CITY, STATE, ZIP CODE: SCOTTSDALE AZ. 85255
PHONE NUMBER: 480 905 2000
FAX NUMBER: 480 991 0791
CONTACT NAME: Justin Hesse
WEB ADDRESS: www.TASER.com
EMAIL: justin@taser.com
FEDERAL TAX ID NUMBER: 86-0741227
TEXAS SALES TAX NUMBER:

ERICA CAMARA ALFORD NOTARY PUBLIC MARICOPA COUNTY MY COMM. EXPIRES DEC. 19, 2011

TASER

PROTECT LIFE

17800 N. 85th St. * Scottsdale, Arizona * 85255 * 1-480-991-0797 * Fax 1-480-991-0791 * www.taser.com

02/07/2008

To Whom It May Concern;

This letter is to confirm TASER™ International, Inc. is the sole source manufacturer of the patented less-lethal electro muscular disruption, electronic control devices (EMD/ECD) TASER X26 Model 26000, 26001, 26003, 26004, 26005, 26006, 26011, 26012, 26013, 26014, 26015, 26016, 26017, 26018, 26019, 26020, 26021, 26022, 26023, 26024, 26025, 26026, 26027, 26028, 26300, 26301, 26303, 26304, 26305, 26306, 26311, 26312, 26313, 26314, 26315, 26316, 26317, 26318, 26319, 26320, 26321, 26322, 26323, 26324, 26325, 26326, 26327, and 26328.

TASER international is also the sole source manufacturer of the patented less-lethal Electro Muscular Disruption (EMD/ECD) TASER Brand M26, Model 44000 and 44005.

TASER International is also the sole source manufacturer of the patented, 15-foot Air Cartridges, Model 34200, and the patented, 21-foot, 25-foot,and 35-foot Air Cartridges, Model 44200, 44203, 44205,and 44206. The Air Cartridges are required for the unit to function in the remote TASER mode.

TASER International is also the sole source manufacturer of the patented TASER Cam, Model 26750 (full video and audio) and 26753 (full video and **NO** audio). This accessory item can be downloaded by USB patented, TASER Cam Download Kit Model 26737.

These are some of the unique features of the company:

Incorporated since 1993, TASER International is the forerunner of research and development in this field. The company has 15 years of manufacturing experience for these highly technological less lethal weapons and has over 8000 agencies deploying TASER brand products.

TASER International is housed in a state of the art 100,000 sq. ft. building with over 250 employees. There is 33,000 sq. ft for production, 33,000 sq. ft. for operations and engineering and, 33,000 sq. ft. (two stories) for warehousing and shipping.

The company has a state of the art TASER Training Academy on site featured with 48 desks equipped with power and internet access, safety mats, heavy bags, and the IES Interactive MILO training simulator.

Training is geared toward the special needs of the military, law enforcement officers, medical personnel, private citizens, and instructor certification. Force options and decision making tactics, medical issues, weapon maintenance, and personal safety are just a few of the topics covered in the offered courses.

TASER International is the only ECD (Electronic Control Device) manufacturer who has an extensive mechanical engineering, electrical engineering, and technical staff that all contain the requisite comprehensive and technical knowledge and expertise essential in manufacturing these highly technological electronic control weapons.

TASER International's ADVANCED TASER M26 and X26 are the most extensively studied less lethal weapons on the market today. T ASER International is the only weapons company in the world with both a scientific and medical advisory board comprised of world-class experts who provide critical insights to help the company design and test the safest devices possible.

These are some of the unique features the ADVANCED TASERS M26 and X26 have that are not found with other Electronic Control Devices:

The ADVANCED TASER M26 and X26 are the only less-lethal ECD weapons systems that can stop an aggressive, focused, combat trained attacker.

The ADVANCED TASER M26 and X26 are the only less-lethal ECD weapons systems that are compatible with the X-rail, a universal mount that will mount to anything with a Picatinny rail and utilizes a quick release mechanism to allow the user to carry either less lethal below their lethal weapon.

The ADVANCED TASER M26 and X26 directly stimulate motor nerve and muscle tissue, causing incapacitation regardless of mental focus, training, size, or drug induced dementia.

The ADVANCED TASER M26 comes with an on-board memory chip to download 585 past firings based on the time *and* date the unit was fired.

The TASER X26 comes with an on-board memory chip to download 2,000 past firings based on the time and date the unit was fired to protect officers from unfounded charges of misuse of force.

The ADVANCED TASER M26 and X26 have over 94.9% field effectiveness rating.

The ADVANCED TASER M26 and X26 use the same hand motions and muscle memory as standard 9 mm semi-automatic pistols, drastically reducing the amount of time required to train. User training and Instructor training materials are all on CD-Rom for ease of reproduction for training.

The X26 uses proprietary Shaped Pulse™ EMD Technology with high performance, highly efficient, incapacitation effect that's 5% greater than the ADVANCED TASER M26, and is 60% smaller, 60% lighter, and consumes 1/5th the power of the M26.

The X26 has an optional upgrade system, the TASER Cam which records over an hour of MPEG4 video and audio data to provide another layer of accountability to corroborate officers use reports.

The Lithium Battery System for all X26 Units is the DPM - Digital Power Magazine (26700), XDPM - Extended Digital Power Magazine (26701) and the rechargeable TASER Cam (26750). (All battery systems are rated up to *195 5-second firings at room temp.)

The Extended Warranty Lithium Battery System for all X26 Units is the 1 year (26711) and 4 year (26714) DPM - Digital Power Magazine and the 1 year (26721) and 4 year (26724) XDPM - Extended Digital Power Magazine. (All battery systems are rated up to *195 5-second firings at room temp.)

Propulsion System for all air cartridges is compressed nitrogen (1800 to 2500 lbs/in^2).

The BATF has classified the ADVANCED TASER M26 and X26 as Non-Firearm.

<u>The Sole Authorized Police Distributor for Texas (NO EL PASO) is:</u>
GT Distributors Inc.
2545 Brockton Dr. Suite 100
Austin, TX. 78758
1-800-775-5996 Phone
1-512-453-6149 Fax

<u>For El Paso:</u>
Deals directly with TASER International Directly!
TASER International
17800 N. 85th St.
Scottsdale, AZ 85255
1-800-978-2737 Ext. 2082
1-480-991-0791

THERE IS NO OTHER AUTHORIZED REPAIR FACILITY FOR TASER BRAND PRODUCTS OTHER THAN THE ONE LISTED BELOW.

<u>Sole Authorized Repair Facility For TASER Brand Products:</u>

TASER International, Inc.
17800 N. 85th Street
Scottsdale, AZ. 85255
1-800-978-2737 Toll Free
1-480-905-2000 Phone
1-480-991-0791 Fax

Please note the ADVANCED TASER ™, AIR TASER™, and TASER™ are registered trademarks. TASER-Wave ™ is a trademark of TASER International Inc. Patent: U.S. 5,078,117 and others pending in the U.S. and Worldwide. Copyright 1999 TASER International, Incorporated.

Please contact us at 1-800-978-2737 with any questions.

Sincerely,

Stacie Sundberg
Vice President, Global Sales Operations