

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

DEPARTMENT: Fire/Office of Emergency Management

AGENDA DATE: August 27, 2013

CONTACT PERSON/PHONE NUMBER: Samuel Peña, Fire Chief, 485-5605
Bruce D. Collins, Purchasing Manager, 541-4313

DISTRICT(S) AFFECTED: ALL

SUBJECT:

That the Purchasing Manager be authorized to issue a Purchase Order (s) to InMotion Technology, Inc. in the amount of \$112,330.00 for "Platinum" Support for the Onboard Mobile Gateway for emergency response vehicles that were purchased with HSGP funds.

BACKGROUND / DISCUSSION:

This annual Support is for the Onboard Mobile Gateway tracking devices installed on emergency response units. The mobile gateways provide for an upgrade to functionality and connectivity between the Computer Aided Dispatch (CAD) system and first responder vehicles, which require a higher bandwidth in order to reliably transfer critical Police and Fire. The support services provides for a stable connection between Police and Fire field units and the Computer Aided Dispatch system.

PRIOR COUNCIL ACTION:

Yes. Council has approved Sole Source service contracts for technology based items in the past to Insight Public Sector, Inc. The OnBoard Mobile Gateway devices have proprietary technologies and only InMotion Technology, Inc. is authorized to provide service and repair. This component is not offered through Insight Public Sector, Inc.

AMOUNT AND SOURCE OF FUNDING:

2011 State Homeland Security Program
2720-322-22130-522250-2011SST820

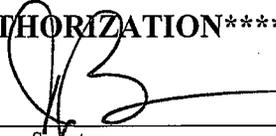
BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

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

DEPARTMENT HEAD:

Samuel Peña
Name


Signature

8/15/13
Date

**COUNCIL PROJECT FORM
(SOLE SOURCE)**

*****POSTING LANGUAGE BELOW*****

Please place the following item on the **CONSENT** agenda (under **PURCHASING REQUESTS, ETC.**) for the Council Meeting of **AUGUST 27, 2013**.

Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue Purchase Order(s) to InMotion Technology, Inc., the sole source provider for OnBoard Mobile Gateway support services for the purchase of support services in the estimated amount of \$112,330.00 for the El Paso Fire Department.

Department:	Fire
Award to:	InMotion Technology, Inc. New Westminister, BC
Total Estimated Amount:	\$112,330.00 (1 year)
Account No.:	22130-322- 522250-2720
Funding Source:	2011 State Homeland Security Program
District(s):	All
Sole Source No.:	2013-299

This is a Sole Source, unit-price type contract.

Additionally, it is requested that the City Attorney's Office review and that the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

*****ADDITIONAL INFO BELOW*****

Price Quotation

Ship To: City of El Paso
 Address 1: 2 Civic Center Plaza
 Address 2: El Paso, TX 79901
 Contact: Frank Mendez
 Phone: 915 771 1058
 FAX:
 Email: medezf@elpasotexas.gov
 Tax ID/EIN:

Bill to: Same as Above

Association: None Specified

NOTES:



In Motion Technology Inc.
 Suite 350-625 Agnes St.
 New Westminster BC V3M 5Y4
 Tel: (866) 468-2968
 Fax: (604) 648-9629
www.inmotiontechnology.com

Proposal #: IMT-QT-130724-RB01
 Date: July 24, 2013
 Tax ID: 86066643RM001
 Validity: 30 days
 Pricing: Firm quotation
 Terms: Net 30 days (see notes)
 FOB: Origin

Tax: Yes

Line	Category	Part #	Description	List Price	Qty	Disc %	Disc. Price	Total Price (US\$)
1	oMG Support	IMTSUP507	Platinum Support for oMG 2030 MULTI (Enterprise oMM) - single year <i>Support Bridge from Oct 1, 2012 to Sep 30, 2013</i>	\$ 180.00	478		\$180.00	\$86,040.00
2	oMM-Apps-oCM	IMTSUP501	Annual Support: oMM Enterprise Core (includes back-up where applicable) <i>Support Bridge from Oct 1, 2012 to Sep 30, 2013</i>	\$ 20.00	478		\$20.00	\$9,560.00
3	oMM-Apps-oCM	IMTSUP502	Annual Support: onBoard Tracker - Enterprise <i>Support Bridge from Oct 1, 2012 to Sep 30, 2013</i>	\$ 15.00	478		\$15.00	\$7,170.00
4	oMM-Apps-oCM	IMTOCM004	Annual Software Support: oCM <i>Support Bridge from Oct 1, 2012 to Sep 30, 2013</i>	\$ 20.00	478		\$20.00	\$9,560.00

NOTES

- Customer to remit Purchase Order (PO) referencing this document via fax to 604-648-9629. PO will be confirmed by In Motion Technology Inc. within 3 business days.
- Terms: Net 30 days on credit approval, 1.5%/month interest on past due amounts. Payment accepted by VISA or bank transfer.
- Standard delivery within 8 weeks of PO subject to stock availability. This may be expedited for Customer as required. Actual delivery date to be confirmed upon receipt of PO.
- Trial units delivered to Customer will carry a 30-day money back guarantee. A 15% restocking fee applies to any returned units.
- Customer is responsible for shipping charges. In Motion ships via UPS overnight or via customer's preferred freight company using customer's account number.
- The Customer accepts responsibility for remitting any additional state Sales and Use Tax that may apply to this transaction in accordance with appropriate state laws. If the transaction is exempt from Sales and Use Tax, the Customer will provide an Exemption Certificate to In Motion Technology or provide any required assistance to obtain one.
- Customer's PO is subject to an after sales warranty clause which may require In Motion Technology to troubleshoot, test, and/or train the customer on use and applications of its products. In Motion Technology warrants that the individual providing the said service has specialized knowledge of its products.
- For orders over \$100,000, In Motion Technology will invoice 30% of the order amount as a deposit. This deposit will be held as a retainer against the final delivery of product and/or professional services.
- For more details on In Motion Technology's Terms & Conditions of Sale, please visit www.inmotiontechnology.com/termsandconditionsofsale.pdf

INDEMNIFICATION [Rev. 04-15-99] [Rev. 01-04-04]

Contractor or its insurer will INDEMNIFY, DEFEND AND HOLD the City, its officers, agents and employees, HARMLESS FOR AND AGAINST ANY AND ALL CLAIMS, CAUSES OF ACTION, LIABILITY, DAMAGES OR EXPENSE, (INCLUDING BUT NOT LIMITED TO ATTORNEY FEES AND COSTS) FOR ANY DAMAGE TO OR LOSS OF ANY PROPERTY, OR ANY ILLNESS, INJURY, PHYSICAL OR MENTAL IMPAIRMENT, LOSS OF SERVICES, OR DEATH TO ANY PERSON ARISING OUT OF OR RELATED TO THIS AGREEMENT. Without modifying the conditions of preserving, asserting or enforcing any legal liability against the City as required by the City Charter or any law, the City will promptly forward to Contractor every demand, notice, summons or other process received by the City in any claim or legal proceeding contemplated herein. Contractor will 1) investigate or cause the investigation of accidents or occurrences involving such injuries or damages; 2) negotiate or cause to be negotiated the claim as the Contractor may deem expedient; and 3) defend or cause to be defended on behalf of the City all suits for damages even if groundless, false or fraudulent, brought because of such injuries or damages. Contractor will pay all judgments finally establishing liability of the City in actions defended by Contractor pursuant to this section along with all attorneys' fees and costs incurred by the City including interest accruing to the date of payment by Contractor, and premiums on any appeal bonds. The City, at its election, will have the right to participate in any such negotiations or legal proceedings to the extent of its interest. The City will not be responsible for any loss of or damage to the Contractor's property from any cause.

Total w/o Tax

\$112,330.00

Signed:

Rob Boback, Mobile: 720-215-5137, rob.boback@inmotiontechnology.com
 Public Safety Sales Manager, West



FINANCIAL SERVICES
PURCHASING DIVISION

SOLE SOURCE AFFIDAVIT

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

Before me, the undersigned official, on this day, personally appeared DEAN ROCKWELL, 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 DEAN ROCKWELL, CEO. 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: IN MOTION TECHNOLOGY INC.
3. The above named company or firm is the sole source for the following item(s), product(s) or service(s):
ON BOARD MOBILE GATEWAY, ON BOARD MOBILITY MANAGER, ON BOARD CONNECTION MANAGER, PROFESSIONAL SERVICES & EXTENDED SUPPORT
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 Vendor 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 Vendor understands that by providing false information on this Sole Source Affidavit, it may be considered a non-responsible Vendor on this and future purchases and may result in discontinuation of any/all business with the City of El Paso.

Dean Rockwell
Signature

SUBSCRIBED AND SWORN to before me on this 14 day of December, 2012.

NOTARY PUBLIC Martin Kastelein
Notary Public in and for the
Province of British Columbia
448 - 6th Street
New Westminster, BC V3L 3B3
Phone: 604-526-7884
Email: martin@martinthenotary.com
Commissioned for Life

COMPANY NAME: IN MOTION TECHNOLOGY INC.
 ADDRESS, CITY, STATE & ZIP CODE: #350-625 AGNES STREET, NEW WESTMINSTER BC V3M5H4 CANADA
 PHONE: 604 523 2371 FAX NUMBER: 604 608 9629
 CONTACT NAME AND TITLE: PHIL ROTHERAM DIRECTOR SALES PUBLIC SAFETY WEST
 WEB ADDRESS: WWW.INMOTIONTECHNOLOGY.COM EMAIL: PHIL.ROTHERAM@INMOTIONTECHNOLOGY.COM
 FEDERAL TAX ID NUMBER: 98-0480226 TEXAS SALES TAX NUMBER: _____



December 14, 2012

Mr. Michael Perez
Financial Research Analyst
Department of Information Technology Services
2 Civic Center Plaza
El Paso, TX 799001

Re: Sole Source for onBoard Mobile Gateway, onBoard Mobility Manager and onBoard Connection Manager, Professional Services and Technical Support

Dear Mr. Perez,

This letter is to confirm that In Motion Technology Inc. is the sole supplier of the onBoard Mobile Gateway (oMG), the onBoard Mobility Manager (oMM) and the onBoard Connection Manager (oCM), Professional Services and Extended Support.

The onBoard Mobile Gateway is a unique wireless communications gateway optimized to serve the rapidly evolving mobile networking needs of public safety organizations and enterprises to have access to up to 6 wireless radio networks. The oMG currently supports commercial 4G LTE networks, and following certification with PSCR, will support 700MHz Band Class 14 networks for public safety as well.

The oMG is unique in being the only wireless communications platform that offers customers the ability to have vehicle wireless access connections at up to 99.99% up time based on implementation of redundant wireless network switching. It seamlessly combines wired and wireless (802.11) Ethernet-based local area networking with "future proof" support for 3rd and 4th generation cellular as well as Wi-Fi/WiMAX-based wide area wireless data networking. The oMG is the only mobile communications platform that incorporates a number of advanced IP routing and security features compliant with RFC4555 mobile IKE, as well as optional redundant connection support, call management, industry standard local and wide area security, and web caching and content management techniques to minimize the amount of data transferred over the cellular data network.

The onBoard Mobility Manager (oMM) allows organizations to monitor vehicle and communications data from the oMG in real time, such as vehicle diagnostics, location, speed, direction and traffic as well as communications coverage. The oMM provides the Information Technology staff with the ability to access the devices in the vehicles for troubleshooting problems, upgrading applications and managing assets.

The onBoard Connection Manager (oCM) simply and securely extends the corporate network to the vehicle area network. The oCM, which is specifically designed for use with the oMG, is a mobile-optimized VPN server, providing secure IP mobility and sub-second switching in a multi-network environment. It supports the use of real-time applications like voice and video as

vehicles roam between multiple wireless networks, and is the only VPN server solution specifically designed for vehicle-based router networks.

In Motion Technology's technical support includes the following:

A. Extended Technical Support

- Priority telephone and email support within two hours during normal business hours (8:00 am to 4:30 pm Pacific Time, Monday to Friday excluding holidays)
- Emergency telephone support within one hour, 24 hours per day, 365 days per year
- Access to the Customer-only section of the In Motion Technology online Knowledge Base (<http://kbase.inmotiontechnology.com>). Source documents on training, setup, troubleshooting, contact information, company procedures, latest releases, and more. Please contact support for login details.

B. Extended Hardware Support

- Product hardware repair or Product replacement
- Advance Replacement Service. Equivalent generic Product shipped next business day upon confirmation of Product problem.
- Expedited RMA shipping of repaired or replacement Product hardware within 5 business days after receipt of failed Product.
- Shipping to and from Customer of repaired/replacement Product

C. Extended Software Support

- Software Upgrades. New releases (including software required to enable new aircards), bug fixes and enhancements on Customer purchased features
- Remote assistance in installing new software Updates and Upgrades

Please let me know if you require any further information. We look forward to working with you.

Sincerely,



Dean Rockwell
Chief Executive Officer
In Motion Technology Inc.