

City Council Report

915 I Street, 1st Floor

Sacramento, CA 95814

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Review Item 01

Title: (Agreement/Contract for Review) Supplemental Agreement: Police Body-Worn Cameras

Location: Citywide

Recommendation: Accept and publish for review a Motion authorizing the City Manager or the City Manager's designee to execute Supplemental Agreement No. 1 to City Agreement No. 2017-0276 with Axon Enterprise, Inc., in the amount of \$2,730,275 for a new total not-to-exceed amount of \$6,686,903 for the purchase of 195 additional body-worn cameras; and continue to May 28, 2019 for approval.

Contact: Daniel Monk, Police Captain, Office of Specialized Services, (916) 808-6126, Police Department

Presenter: None

Attachments:

1-Description/Analysis

2-Supplemental Agreement

Description/Analysis

Issue Detail: In 2017, Council passed Resolution No. 2017-0092 authorizing City Agreement No. 2017-0276 with Taser International, now Axon Enterprise, in support of the Sacramento Police Department's (SPD) body-worn camera (BWC) program. Staff requests approval to execute a supplemental agreement to expand the BWC program from 800 cameras to 995 cameras and to extend the contract term to April 30, 2024.

Policy Considerations: Per City Code Chapter 3.56, this supplemental agreement exceeds the City Manager's approval authority and requires Council approval.

The Sacramento City Code Section 4.04.020 and Council Rules of Procedure (Chapter 7, Section E.2.d) mandate that unless waived by a two-thirds vote of the City Council, all labor agreements and all agreements greater than \$1,000,000 shall be made available to the public at least ten (10) days prior to council action.

Environmental Considerations:

California Environmental Quality Act (CEQA): This action does not meet the criteria of a "project" as defined in the CEQA at Section 21065 of the California Public Resources Code and therefore is not subject to the CEQA process.

Sustainability: Not applicable

Commission/Committee Action: None

Rationale for Recommendation: The SPD initially purchased 800 BWCs in Fiscal Year 2017. Since that time, the SPD has hired more personnel, identified additional personnel that require a BWC, and realized that staff assigned to some specialty units require more than one BWC. In addition, the SPD learned that the wear and/or carry options for a standard-issue BWC are not functional for members of the Special Weapons and Tactics (SWAT) team due to issues of specialty equipment inadvertently deactivating BWCs in the field. In consideration of these issues, the SPD received one-time funding at Fiscal Year 2018/19 Midyear to purchase an additional 150 standard BWCs and 45 specialty BWCs. The below table outlines the Year 1-3 costs of the first 800 BWCs, the one-time costs for 195 additional BWCs, and the five-year ongoing costs for all 995 BWCs.

Proposed Axon Services*		
2017-0276:	Year 1 (4/15/17 – 4/14/18)	669,384
	Year 2	821,811
	Year 3**	825,561
2017-0276-1:	Credit: Year 3 (5/15/19 – 4/14/20)	-694,374
	Year 1 (5/15/19 – 5/14/20)	918,045
	Year 2	1,036,619
	Year 3	1,036,619
	Year 4	1,036,619
	Year 5	1,036,619
Subtotal		6,686,903
Original NTE Amount		-3,956,628
Net Increase		2,730,275

*All costs are rounded to the nearest dollar

**Reflects new 8.75% City of Sacramento sales tax rate, effective 4/1/2019

Financial Considerations: The one-time costs for this expansion were approved in the Fiscal Year 2018/19 Midyear Report (Resolution No. 2019-0047) and the ongoing costs are included in the City’s proposed 2019-2024 Capital Improvement Program budget provided sufficient funding is available in the Body Worn Camera Program (F11100500) in the applicable fiscal year.

Local Business Enterprise (LBE): Not applicable. LBE participation was not required when the contract was originally awarded because the initial purchase was partially supported with federal grant funds.

**CONTRACT SUPPLEMENT
(Nonprofessional Services)**

Project Title and Job Number:
Purchase Order #:

Date:
Contract Supplement No.:

1

The City of Sacramento ("City") and Axon Enterprise
("Contractor"), as parties to that certain Nonprofessional Services Agreement designated as Agreement Number 2017-0276, including any prior contract supplements modifying the agreement (the agreement and contract supplements are hereafter collectively referred to as the "Agreement"), hereby supplement and modify the Agreement as follows:

1. The scope of Services specified in Exhibit A of the Agreement is amended as follows:
The body-worn camera (BWC) program is expanded from 800 BWCs to 995 BWCs per quote (Exhibit A) and the contract term is extended from March 31, 2022 to April 30, 2024.

2. In consideration of the additional and/or revised services described in section 1, above, the maximum not-to-exceed amount that is specified in Exhibit B of the Agreement for payment of Contractor's fees and expenses, is increased by 2,730,275, and the Agreement's maximum not-to-exceed amount is amended as follows:

Agreement's original not-to-exceed amount:	3,956,628
Net change by previous contract supplements:	0
Not-to-exceed amount prior to this contract supplement:	3,956,628
Increase by this contract supplement:	2,730,275
New not-to exceed amount including all contract supplements:	6,686,903

3. Contractor agrees that the amount of increase or decrease in the not-to-exceed amount specified in section 2, above, shall constitute full compensation for the additional and/or revised services specified in section 1, above, and shall fully compensate Contractor for any and all direct and indirect costs that may be incurred by Contractor in connection with such additional and/or revised services, including costs associated with any changes and/or delays in work schedules or in the performance of other services or work by Contractor.

4. Contractor warrants and represents that the person or persons executing this contract supplement on behalf of Contractor has or have been duly authorized by Contractor to sign this contract supplement and bind Contractor to the terms hereof.

5. Except as specifically revised herein, all terms and conditions of the Agreement shall remain in full force and effect, and Contractor shall perform all of the services, duties, obligations, and conditions required under the Agreement, as supplemented and modified by this contract supplement.

Approval Recommended By:

Approved As To Form By:

Project Manager
Approved By:

City Attorney

Contractor
Approved By:

Attested To By:

City of Sacramento

City Clerk