



TO THE HONORABLE MAYOR AND COUNCIL:

DATE: April 7, 2015

SUBJECT: APPROPRIATION OF FUNDS FROM THE POLICE DEPARTMENT'S OPERATING BUDGET IN THE AMOUNT OF \$105,713.65 FOR THE PURCHASE OF PROTECTIVE, BALLISTIC VESTS FOR SWORN MEMBERS OF THE POLICE DEPARTMENT (General Fund)

Report in Brief

Staff at the police department conducted a wear test and evaluation of protective, ballistic vests over the past six (6) months. A majority of vests issued are due to expire this calendar year. Based on the wear tests, staff chose to purchase the vest manufactured by U.S. Armor, with a sole-source distribution by LPS Tactical & Personal Security Supply.

Staff recommends the council approve the appropriation of funds from the Police Department's operating budget in the amounts of \$105,713.65 to purchase eighty five (85) protective, ballistic vests. This will replace vests expiring this calendar year (2015) and next calendar year (2016).

Background

Police Department General Order #63, section B, requires the Police Department to provide protective vests to sworn members of the police department. It reads as follows:

B. AUTHORIZED PROTECTIVE VESTS

1. All sworn members of the Concord Police Department, including Reserve Officers, will be provided with protective vests.
2. Protective vests provided by the Department will have the minimum following characteristics:
 - .1 Meets National Institute of Justice Ballistic Resistance of Body Armor Standard 0101.06, rating the vest at a Threat Level II or higher.
 - .2 Maintains full coverage with wrap-around side panels
 - .3 Is equipped with a black cover

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- .4 Is equipped with a hard or soft front strike plate
3. Sworn personnel, including Reserve Officers, have the option of choosing a protective vest other than that issued by the Department, provided the vest meets the above minimum requirements.

Discussion

Police Officers chosen to conduct the wear test and evaluation of the protective vests were based on gender, current assignment, shifts, availability and overall interest in the project. Each officer wore a sampling of vests provide by three (3) different manufacturers / distributors and provided a written critique on the quality, weight, comfort, fit and features. They were also asked to evaluate the vendors, specific to the fitting process, availability, return/exchange process and friendliness.

Once the testing process was complete, the officers unanimously recommended the U.S. Armor vest for purchase. Below are some features and technical aspects of the U.S. Armor vest:

- Advanced, high molecular weight polyethylene fiber technology from Honeywell and DuPont, which provides a higher level of ballistic performance and comfort compared to prior NIJ certified vests.
- Offered in threat level II and IIIA, which covers ballistic threat levels 9mm - .44 magnum SJHP.
- Water proof, outer carriers that provide both cooling and heating effects, depending upon weather conditions and the officers body temperature.
- Copper thread technology in the vest carriers which provides airflow and relief from heat rash.
- Warranty that covers the external carrier for 18 months and the ballistic panels for 60 months.

LPS Tactical was the vendor that supplied the U.S. Armor vests for testing. They are a local company out of Newark and the only Northern California vendor for this vest. Staff contacted three (3) other, local vendors; none were able / allowed to sell U.S. Armor products.

Individual fittings took about 20-30 minutes. According to LPS representatives, specialty measurements are vital as they contribute to the long-term comfort of the vest, along with the reduction of shoulder, back and spinal injuries that can occur with a poorly or improperly fitted vest.

LPS Tactical understands the differences in the fitting of male and female bodies. U.S. Armor provides a unique female ballistic vest design, as they understand one size does not fit all. They design a vest cut specifically for female, body contours; it's not just a smaller, male panel or a fold-over cut found in other vests tested.

Specific to female vests, U.S. Armor offers the following:

- Bust area that is shaped by a unique process which eliminates cutting of the front, ballistic panel. This enhances comfort and conceal-ability without sacrificing ballistic performance.

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- Actual bust cups formed into the armor itself through a darting procedure. This properly accommodates the variances in the female body shape and contour.
- 13 point, "Tailor-Made" female measuring and sizing procedure; both bust and cup size are factored into the sizing matrix for creating the ballistic panels.

Based on the evaluating officers' comments and critiques, staff believes we should move forward with purchasing the vest manufactured by U.S. Armor, utilizing LPS Tactical & Personal Security Supply as the vendor.

Fiscal Impact

Currently, there are funds in the Police Department's operating budget to support the recommended purchases. The fiscal impact would be \$105,713.65, which is the cost of eighty five (85) vests, fitting services, tax and shipping.

Public Contact

Posting of the Council agenda.

Recommendation for Action

Staff recommends that the Council appropriate funds from the Police Department's operating budget in the amount of \$105,713.65 for the purchase of eighty five (85) protective, ballistic vests from LPS Tactical & Personal Security Supply for sworn members of the police department.

Prepared by: Sergeant John Nunes #307
Training Manager
John.nunes@cityofconcord.org



Valerie J. Barone
City Manager

Valerie.barone@cityofconcord.org

Reviewed by: Guy A. Swanger
Chief of Police
Guy.swanger@cityofconcord.org

Attachment 1: Justification for Procurement – Non-competitive bids



JUSTIFICATION FORM

DATE: March 18, 2015
ATTENTION: Purchasing Division, Finance Department
FROM: Sgt. John Nunes DEPARTMENT: Police Department
PHONE: 925-671-3336 EMAIL: John.nunes@cityofconcord.org
SUBJECT: Justification for Procurement- Non-competitive bids

*This form is used only for special circumstances such as a sole/single source purchase, when it's difficult to find other vendors providing the product/service, and/or emergency/urgent reasons. Please refer to the **'Bidding and Procurement Process Flowchart'** for guidance on the proper procedures for bidding and/or purchasing at certain amount thresholds.*

Sole Source vs Single Source:
Procurement by a noncompetitive bid means a procurement through either a "sole source," when the City solicits an offer from one source, or a "single source," when the City solicits offers from multiple sources but receives only one or the competition is determined inadequate.
[Sole Source procurement refers to purchases where there's only one supplier that provides the product. Usually these are unique products that you cannot find anywhere but through one supplier/manufacturer. Single Source purchasing refers to purchases from one selected supplier, even though there are other suppliers that provide similar products. Usually these are products that may be customized or company selected the single source for specific reasons, i.e. replacement parts, cost, compatibility, quality, etc.]

INSTRUCTIONS:

Please provide the detailed explanation for the justification for the specified purchase with the vendor (provided below) on the following page.

REQUIRED INFORMATION:

Requisition #: _____
Vendor Name: LPS Tactical & Personal Security Supply
Cost: \$105,713.65
Authorized Department Signature: _____
(Digital Signature acceptable)
Print Name: _____
Please email completed forms to debbie.wellnitz@cityofconcord.org. PO #: _____
(For Purchasing)

Procurement by noncompetitive bids may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids, or competitive proposals and one of the following circumstances applies: Please check all that applies:

- The item is available only from a single source or is a sole source;
- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- After solicitation of a number of sources, competition is determined inadequate. Specify: _____
- Utilizing a piggyback contract, cooperative agreement, or similar.
- Other:
Please see below, attached Staff Report/Council Agenda dated _____.

Was the price determined reasonable? Please circle: YES OR NO
How was the price determined?

- Market survey
- Commercial Pricelists
- Prior purchase for the same or similar items
- Personal expertise /familiarity with our organization’s process
- Other
Please see below and attached Staff Report/Council Agenda dated _____.

Please provide a brief statement for the following (if applicable):

1. Description of product/services/requirement;

U.S. Armor Model 6316M and 6326F concealable vest, Level 3A with proprietary, atomic number 29, CuTEC copper carrier lining; sole source. Outlast lining also available. LPS Tactical provides truly custom tailored vest to clients’ satisfaction, which includes but not limited to, on-site custom measuring, delivery and fitting of vest to client, 60 day fit guarantee and minimum of three follow up calls to ensure clients satisfaction. Any alterations during 60 day fit guarantee are at no cost. Warranty commences on date of issue, not date of manufacturing. Free vest destruction service, which includes picking up, transporting of old used vest to factory for destruction, and emailing notification of said destruction. Alteration of valid used vest during vest’s life cycle for refit into new client. Minimum charge of \$125 per panel. 24/7 phone/onsite support for life of vest. LPS Tactical has on staff the factory Female Vest Specialist for sizing and fitting of all female officers.

2. History of prior purchases and their nature (competitive vs. noncompetitive);

LPS Tactical has sold armor to individual officers at your department and other firearm related products.

3. Statement as to the unique circumstances that require award by noncompetitive proposals;

LPS Tactical can request quotes from factory and second Distributor located in the State of Colorado, however both Factory and Colorado Distributor cannot provide the detail customer service the client requires for officer satisfaction. Does not provide on-site measuring and fitting; self measuring.

4. Description of the efforts made to find competitive sources, e.g., advertisement in trade journals or local publications, phone calls to local suppliers, issuance of a written solicitation, etc.;

See statement above.

5. Statement as to efforts that will be taken in the future to promote competition for the requirement; and,

LPS Tactical is the Northern California and Northern Nevada distributor as well as the factory Regional Manager. LPS possesses unique skill sets to provide proprietary and unique services that others do not.