

# FORSYTH COUNTY

## BOARD OF COMMISSIONERS

MEETING DATE: MARCH 14, 2019

AGENDA ITEM NUMBER: 8

### SUBJECT:

**RESOLUTION APPROVING PURCHASE OF LAW ENFORCEMENT BODY WORN CAMERAS UNDER AN EXCEPTION TO THE BIDDING LAWS CODIFIED IN N.C.G.S. 143-129(E)(6) AND AWARDING A CONTRACT TO AXON ENTERPRISE, INC. (FORSYTH COUNTY SHERIFF'S OFFICE)**

**COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:** Recommend Approval

### SUMMARY OF INFORMATION:

On November 23, 2015, the Forsyth County Board of Commissioners awarded a contract to Axon Enterprise, Inc., (previously Taser International, Inc.), for the purchase of 228 body-worn cameras, including all hardware, "cloud" data storage and licensing.

With the recent creation of the Forsyth County Sheriff's Office *Highway Interdiction Team (HIT)* and *Ready Response Team (RRT)*, sixteen (16) new cameras, including spares, hardware and "cloud" data storage and licensing are required to equip the team members.

The HIT team works interstate highways, confronting human trafficking and drug trafficking in Forsyth County. The RRT team provides support during high-risk warrant services, saturation patrols and narcotics operations. Given the nature of the work, the need to capture video from their law enforcement actions is necessary.

This Resolution approves the purchase of these additional cameras under an exception to the bidding laws codified in N.C.G.S. 143-129(e)(6). Under these provisions, the bid procedures do not apply to purchases of apparatus, supplies, materials, or equipment when (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) **standardization or compatibility is the overriding consideration.**

Axon Enterprise, Inc., is the manufacturer and sole distributor of the TASER Axon cameras. Currently, the Forsyth County Sheriff's Office is using the Axon camera systems for body worn cameras, and in order for data storage to remain standardized (using evidence.com), it is necessary to remain with the Axon product.

The Sheriff's Office FY 2018-2019 agency operating budget contains appropriated funds that cover the cost of this purchase and no additional General Fund dollars are requested. The attached Resolution awards a sole source purchase in the amount of \$47,288.12 to Axon Enterprise, Inc.

ATTACHMENTS:  YES  NO

SIGNATURE:

*J. Dudley Watts, Jr.*  
COUNTY MANAGER

DATE: March 12, 2019

**RESOLUTION APPROVING PURCHASE OF LAW ENFORCEMENT BODY WORN  
CAMERAS UNDER AN EXCEPTION TO THE BIDDING LAWS CODIFIED IN N.C.G.S.  
143-129(e)(6) AND AWARDING A CONTRACT TO AXON ENTERPRISE, INC.  
(FORSYTH COUNTY SHERIFF'S OFFICE)**

**WHEREAS** the Forsyth County Sheriff's Office needs to purchase additional law enforcement body-worn cameras and Axon Enterprises Inc. is the sole distributor of the Axon camera systems and evidence.com data storage solution;

**WHEREAS** the Forsyth County Sheriff's currently uses the Axon camera systems and evidence.com data storage solution for body-worn cameras and in the suspect interrogation room;

**WHEREAS** N.C.G.S. 143-129(e)(6) provides that procedures for letting of public contracts do not apply to purchases of apparatus, supplies, materials, or equipment when: (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration;

**WHEREAS** N.C.G.S. 143-129(e)(6) further requires the governing board to approve purchases under the above provisions prior to the award of the contract;

**WHEREAS** Axon Enterprises Inc., has submitted a quote for sixteen (16) law enforcement cameras, data storage, service/maintenance and licensing at \$47,288.12, including tax;

**WHEREAS** it is the recommendation of the County Manager, the Sheriff, and the Purchasing Director that the purchase of sixteen (16) law enforcement cameras with Axon Enterprises, Inc., in the amount of \$47,288.12, be awarded to Axon Enterprises, Inc.; and

**WHEREAS** the County Chief Financial Officer has determined that sufficient funds are available to cover the cost of this purchase;

**NOW, THEREFORE, BE IT RESOLVED**, that the Forsyth County Board of Commissioners hereby awards a contract to Axon Enterprises, Inc., in the amount of \$47,288.12, for the purchase of sixteen (16) law enforcement cameras, data storage, service/maintenance and licensing for use by the Forsyth County Sheriff's Office, under the exception to the bidding laws as provided and authorized by N.C.G.S. 143-129(e)(6); and

**BE IT FURTHER RESOLVED** that the County Manager and Clerk to the Board are hereby authorized to execute, on behalf of Forsyth County, a contract with Axon Enterprises, Inc., for the purchase of sixteen (16) law enforcement cameras, data storage, service/maintenance and licensing in the amount of \$47,288.12, subject to a pre-audit certificate thereon by the County Chief Financial Officer, where applicable, and approval as to form and legality by the County Attorney.

Adopted this 14<sup>th</sup> day of March, 2019.