THE CITY OF ASHEVILLE

Staff Report

Council Meeting Date: September 27, 2022

Subject: Contract Addendum to current 5 year agreement with Axon Enterprise Inc.

Staff Resource(s): Elise Lewis, Financial Business Manager

Action Requested: Adoption of a resolution to allow for Asheville Police Department to add additional funding to the existing contract #92100297 with Axon Enterprise Inc for Unlimited Annual Payments omitted in error from original contract terms.

Background:

- The Asheville Police Department (APD) entered into a new, consolidated, five year contract with Axon on December 15, 2020 for our existing Body Worn Camera/Taser program, Fleet vehicle in-car camera program, and our Interview Room platform.
- APD had previously been managing three separate five year Axon contracts for these programs.
- Each contract had a different start and end date as well as different invoicing dates.
- The intent of creating the new five year contract was to not only simplify the management of these different contracts into one document with one annual invoice, but also afforded APD the additional benefit of locking in the 2020 price points for the five year life of the new consolidated contract.
- When Axon generated the consolidated quote for the new contract, the original five year term for licensing (Unlimited Annual Payment) from each original contract was retained instead of extending them through the end of the new five year contract's term.
- These Unlimited Annual Payments include unlimited storage on Evidence.com, product warranties and licensing of equipment.
- This contract amendment will add these required missing fees for our Fleet vehicle cameras for the last three years of the contract as well the missing fees for our Interview Room platform for the last year of the contract at the price points they would have been originally included at back in 2020.
- These fees should have been included in the new five year contract in December of 2020 and we are asking to add them in now at the same price point they were quoted when the contract was initiated.
- The total increase in cost over the final three year period of the contract to correct this oversight is $345,990.68.
- City Council approval is required.

Vendor Outreach Efforts:

- Axon is the current vendor for the body camera/taser program and utilizes pricing per the OMNIA Cooperative Contract.
- Due to pricing from a cooperative contract, no outreach to minority and women owned businesses was conducted.

Council Goal(s):

- Smart City, Connected and Engaged Community

Committee(s):

- Public Safety Committee - 9/27/22

Pro(s):

- Increase safety by continuing to provide equipment beneficial to officers and the public

- Strengthen agency accountability and transparency to the public
- Reduce complaints and resolve officer involved incidents
- Identify and correct potential internal agency problems
- Benefit public safety by accurately documenting officer interactions and evidence collection
- Used in policy compliance checks such as consent search interactions and documentation
- Compliance with National best practices of using a BWC platform to document officer interactions
- Simplify the management of different contracts into one document with one annual invoice and locking in the 2020 price points for the five year life of the new consolidated contract

Con(s):

- Increase in cost from the original 5 year agreement

Fiscal Impact:

- An additional $104,792.00 will be required in FY23 and FY24, and $136,406.68 in FY25. The additional funds needed for the current fiscal year will be allocated from within the existing APD budget.

Suggested Motion:

- Motion to approve the resolution authorizing the Asheville Police Department to add additional funding to our existing contract #92100297 with Axon Enterprise, Inc for Unlimited Annual Payments omitted in error from original contract terms.

Attachment(s):

- Resolution

RESOLUTION NO. 22-____

RESOLUTION AUTHORIZING THE ASHEVILLE POLICE DEPARTMENT TO AMEND THE CONTRACT WITH AXON ENTERPRISE, INC FOR LICENSING OMITTED IN ERROR FROM THE ORIGINAL CONTRACT TERMS.

WHEREAS, the Asheville Police Department (APD) entered into a new 5 year contract with Axon on Dec 15, 2020 for the Body Worn Camera/Taser program, the Fleet vehicle in-car cameras and the Interview Room platform; and

WHEREAS, upon change of personnel at both Axon and APD overseeing this agreement, it was discovered upon review of the current contract there was an inadvertent omission of the annual licensing for a portion of our Fleet vehicle cameras for the last three years of the contract as well as the omission of licensing for our Interview Room platform for the last year of the contract; and

WHEREAS, the total increase in cost over the final 3 year period of our contract to correct this oversight is $359,782.04; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is hereby authorized to approve additional funding to contract #92100297 with Axon Enterprise, Inc for licensing omitted in error from original contract terms, as well as approve any future addendums needed to this contract due to increases in Police personnel or Fleet vehicles where additional equipment is required for service.

Read, approved and adopted this the 27th day of September, 2022.

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City Clerk Mayor

Approved as to form:

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City Attorney