

## Legislation Text

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File #: 15-8385, Version: 1

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### Charlotte Fire Ballistics Protection Equipment Purchase

#### **Action:**

- A. Approve the purchase of ballistics protection equipment, as authorized by sole source exemption of G.S. 143-129 (e)(6),**
- B. Approve a unit price contract with North American Rescue for the purchase of ballistics vests and bullet proof plates for the term of three years,**
- C. Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved,**
- D. Authorize the purchase of ballistic helmets and face shields from state contracts as authorized by G.S. 143-129 (e)(9),**
- E. Approve a unit price contract with Lawmen's Distribution for the purchase of ballistic helmets and face shields for the term of three years under state contract 680C, and**
- F. Authorize the City Manager to extend the contract for up to two, one-year terms, as long as the state contract is in effect, at prices and terms that are the same or more favorable than those offered under the state contract.**

#### **Staff Resource(s):**

Reginald Johnson, Fire  
Kevin Gordon, Fire

#### **Sole Source Exemption**

- G.S. 143-129 (e)(6) provides that formal bidding requirements do not apply when:
  - Performance or price competition are not available;
  - A needed product is available from only one source or supply; or
  - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary for this contract to ensure the standardization of design with current Fire uniforms.
- The City Council must approve purchases made under the sole source exemption.

#### **State Contract Exemption**

- G.S. 143-129 (e)(9) allows local government to purchase from state contracts if the contractor is willing to extend the same or more favorable prices, terms, and conditions as those established under the state contract.

#### **Explanation**

- Since 2009, active shooter events have increased significantly in the United States.
- Firefighters are often called to work closely with the Charlotte-Mecklenburg Police Department to provide support and immediate medical attention in situations of violence.
- In December 2015, Fire responded to the North Lake Mall incident and in September 2016, there

were incidents of civil unrest. Firefighters were the first responders in 16 incidents involving weapons in FY 2017.

- To keep consistent with Fire's mission, firefighters must remain present in the midst of violence in order to help others in need and protect personnel at the same time. Medical aid or rescue missions can take place in an environment or situation that is violent or involves the use of weapons.
- National Fire Protection Association Standards 1500 and 3000 include stipulations that all fire department personnel shall be provided with ballistic protection when exposed to risks during civil unrest, active shooter, or similar events with reasonably unforeseen threats.
- The City currently does not provide ballistic protection to firefighting personnel.
- The purchase of ballistic protection will provide Fire the necessary equipment to safely respond without hesitation in situations of violence.
  - Ballistics equipment is personal armor designed to absorb the impact and reduce or stop penetration to the body from firearms and projectiles. This equipment will protect fire department personnel from gunfire during rescue or medical aid missions.
- First year expenditures are anticipated to be \$380,000 with North American Rescue and \$145,000 with Lawmen's Distribution, totaling \$525,000.
  - The lifespan for the equipment is estimated at five years for the level IIIA body armor, five years for the ballistic helmets, and 10 years for the level III ballistic plates. The recommended replacement schedule will reflect an estimated cost not to exceed \$300,000 over a 10 year term.
- The contracts will fund 372 sets of equipment, which will cover all personnel with operational roles during these types of incidents.
- The equipment will not be individually assigned to firefighters, but will be placed on the apparatus for utilization.

### **Charlotte Business Inclusion**

This is a sole source / state contract and is exempt (Part A: Appendix 27 of the Charlotte Business INclusion Policy).

### **Fiscal Note**

Funding: Urban Area Security Initiative Grant (\$250,000) and Miscellaneous Equipment Account (\$275,000)