

Council Meeting
July 22, 2008

Honorable Mayor and Members
of the Torrance City Council
City Hall
Torrance, California

Members of the Council:

SUBJECT: Police – Modify the purchase of .223 caliber secondary weapons (115 rifles) and accessories. Expenditure: Not to exceed \$36,000.

RECOMMENDATION

Recommendation of the Police Chief that City Council:

1. Appropriate and allocate \$36,000 of asset forfeiture in addition to a previous appropriation, for the purchase of a quantity of 115, .223 caliber secondary weapons and accessories, for a new total not to exceed \$258,000 (FEAP630).
2. Authorize a purchase order increase of \$9,900 to Phoenix Distributors of Feasterville, PA for a quantity of 115, .223 caliber rifles, for a new total not to exceed \$74,900.

FUNDING

Funding is available in U.S. DOJ Unappropriated Asset Forfeiture. The current balance of the DOJ Unappropriated Asset Forfeiture fund is \$727,586.10.

BACKGROUND

On May 20, 2008, Council approved Item 8G appropriating funds and authorizing purchase orders for .223 caliber secondary weapons and accessories. Staff recommends the total approved purchase amount of \$222,000 be modified to cover additional accessories for efficient deployment, as well as a project contingency to cover volatile fluctuations in equipment and shipping costs. To account for these items, staff requests the overall expenditure be increased by \$36,000, to a new total not to exceed \$258,000.

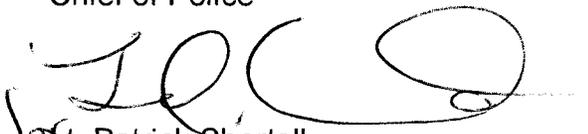
The requested overall expenditure increase includes \$26,100 worth of support accessories: magazines, slings, and more durable safety mechanisms, which were not part of the initial purchase order.

Also included in Item 8G approved by Council on May 20, 2008, was authorization of purchase order to Phoenix Distributors of Feasterville, PA, for .223 rifles in an amount not to exceed \$65,000. This purchase order however, was not inclusive of sales tax, shipping charges, and a staff recommendation to include the acquisition of some longer barreled, higher performance models of the same weapon. The order has not been placed. Staff is requesting that Council increase the Phoenix Distributors purchase order authorization by \$9,900., for a new total not to exceed \$74,900.

Internal review procedures have been established to ensure future purchase order processing includes all support equipment and related costs for the systems being acquired.

Respectfully submitted,

JOHN J. NEU
Chief of Police


By Lt. Patrick Shortall
Research & Training Division Commander

CONCUR:


John J. Neu
Chief of Police


LeRoy J. Jackson
City Manager

Attachment A: Item 8G, Council Meeting of May 20, 2008

Council Meeting
May 20, 2008

Honorable Mayor and Members
of the Torrance City Council
City Hall
Torrance, California

Members of the Council:

SUBJECT: Police - Purchase of .223 caliber secondary weapons and accessories. Expenditure: Not to exceed \$222,000.

RECOMMENDATION

Recommendation of the Police Chief that City Council:

1. Appropriate and allocate \$111,735 of asset forfeiture for the purchase of .223 caliber secondary weapons;
2. Authorize a purchase order not to exceed \$137,000 to Adamson Police Products of Los Alamitos, CA, for optical sights, magnifiers, spacers, mounts, modified grips, accessory rails and lights for the .223 weapons;
3. Authorize a purchase order not to exceed \$65,000 to Phoenix Distributors of Feasterville, PA, for .223 rifles and replacement parts;
4. Authorize an increase of \$20,000 to existing Purchase Order number 2008-00001155 to San Diego Police Equipment of San Diego, CA, for two complete duty ammunition loads for the .223 weapons, for a new total not to exceed \$75,000.

Funding

Funding is available in U.S. DOJ Unappropriated Asset Forfeiture (\$111,735); FEAP500 - 2005 Justice Assistance Grant (\$50,265); and FEAP630 - 2006 COPS Grant (\$60,000).

BACKGROUND

Since 1998, the Torrance Police Department has used the Heckler and Koch (H&K) MP-5 rifle as a secondary weapon to compliment the .45 caliber handgun. This weapon system was adopted after several incidents occurred where other law enforcement agencies responded to armed encounters only to discover that they were at an extreme disadvantage due to heavy armament used by the suspects.

In 2001, Heckler & Koch notified the Department that they had discontinued manufacturing the MP-5. The Department extended the deployment life of the MP-5 by diligently searching for spare parts; however, the supply of parts has been depleted and the MP-5 rifles can no longer be maintained. The Department has identified a suitable replacement and seeks approval for the procurement.

ANALYSIS

Staff conducted stringent testing of .223 caliber rifle platforms and various accessories (optical sights, lighting devices, etc.). The Colt LE Commando .223 weapon model LE6933, with an 11.5 inch barrel, emerged as the recommended weapons system. This rifle is used by the Redondo Beach, Manhattan Beach, Hermosa Beach, El Segundo, and Inglewood Police Departments and many other agencies with satisfactory results. As other agencies adopt the .223 caliber rifle, there should be long-term availability of weapons, parts, and training. Military use of the weapon also will mean that manufacturers will continue producing these weapons.

Staff studied a straight purchase as well as a trade-in transaction. In the trade-in transaction, Phoenix Distributors would provide 102 Colt LE Commando .223 rifles for half price in exchange for 100 obsolete, HK MP5 rifles. The vendor would remove the receivers from the HK weapons and return them to the Torrance Police Department. According to Department of Justice standards, the receiver is the part of the rifle that makes it a firearm and it is the only traceable, serialized component of the HK weapons. By doing a trade-in, the Department can acquire these weapons at a reduced cost and verify the disablement of the obsolete firearms.

Included in the recommended purchase are optic sights for greater accuracy, lighting systems for low-light applications, and modified grips for proper tactical outfitting. Adamson Police Products of Los Alamitos, CA, presented the best pricing and a capacity for expeditious delivery for these accessories.

The purchase of the weapons and accessories are appropriate as Special Opportunity Purchases per section 22.4.5 of the Torrance Municipal Code. Phoenix Distributors, the rifle vendor, is the only vendor that will complete a trade-in, thus acquiring the new weapons at significant savings.

The transaction with the accessory vendor Adamson Police Products also qualifies as a Special Opportunity Purchase in that their prices are below the current market. Extended pricing for the lighting systems alone were several thousand dollars less than what the lighting systems' manufacturer had quoted. Due to their close proximity comparative to other vendors who are out of state, delivery of these accessories will allow this critical equipment to be deployed more quickly.

TMC SECTION 22.4.5. SPECIAL OPPORTUNITY PURCHASES.

Special opportunity purchases may be made by the City Manager where:

a) The City Manager finds that the proposed purchase that is subject to this Article is either below the current market price and will result in a significant cost savings to the City, or that the proposed purchase is not more than the current market price, and that significant time will be saved in delivery or installation of the equipment by such a purchase; and

b) The City has a current need for the item or items of property to be purchased.

The new .223 rifles will also require the acquisition of adequate .223 caliber ammunition for training and field deployment. Staff recommends increasing existing Purchase Order number 2008-00001155 with San Diego Police Equipment as they are one of the Department's proven and reliable vendors for firearm ammunition.

Respectfully submitted,

JOHN J. NEU
Chief of Police


By Lt. Patrick Shortall
Research & Training Division Commander

CONCUR:


John J. Neu
Chief of Police


LeRoy J. Jackson
City Manager