



Legislation Details (With Text)

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**Title:** CONSIDER APPROVING A COOPERATIVE PURCHASING AGREEMENT WITH PORTACRAFT, INC. THROUGH NASPO FOR PURCHASE OF ADDITIONAL RADIOS TO ENHANCE THE CITY-WIDE COMMUNICATIONS RADIO SYSTEM.

**Sponsors:** City Council

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 1 - JVC Kenwood Quote - Mobiles, 2. Exhibit 2 - JVC Kenwood Quote - Portables, 3. Exhibit 3 -- Purchasing Waiver NASPO, 4. Exhibit 4 - Proposed Purchase Agreement

Date	Ver.	Action By	Action	Result
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**Report to Mayor and City Council**

Tuesday, June 06, 2023

Consent

**SUBJECT:**

**CONSIDER APPROVING A COOPERATIVE PURCHASING AGREEMENT WITH PORTACRAFT, INC. THROUGH NASPO FOR PURCHASE OF ADDITIONAL RADIOS TO ENHANCE THE CITY-WIDE COMMUNICATIONS RADIO SYSTEM.**

**I. SUMMARY**

The National Association of State Procurement Officials (NASPO) is a cooperative purchasing agency facilitating public procurement solicitations and agreements using a lead-state model. NASPO awarded Master Agreement No. 00318 for Public Safety Communications Equipment. Staff is recommending approving the use of the NASPO cooperative purchasing agreement with Portacraft, Inc., a retail dealer of JVC Kenwood products, as allowed by the Carson Municipal Code Section 2611 (g) for the purchase of radios, radio equipment, batteries, and chargers, for a combined amount not to exceed \$351,776.84.

**II. RECOMMENDATION**

TAKE the following actions:

1. WAIVE the bidding requirements of the Carson Municipal Code (CMC) pursuant to Carson Municipal Code Sections 2611(g) (cooperative purchasing);
2. APPROVE Purchase Agreement with Portacraft, Inc. for a total not to exceed amount of \$351,776.84;
3. AUTHORIZE the Mayor to execute the Purchase Agreement with Portacraft, Inc, following approval as to form by the City Attorney.

### **III. ALTERNATIVES**

1. TAKE any other action the City Council deems appropriate that is consistent with the requirements of law.

### **IV. BACKGROUND**

In 2012, the federal government passed the Middle-Class Tax Relief and Job Creation Act of 2012, which included a section related to public safety radio communications and mandated that by 2023, public safety agencies would have to abandon the UHF frequency spectrum currently used and move to a different spectrum.

In September 2022, the City of Carson UHF radio system that supports city-wide operations has now transitioned to the Los Angeles Regional Interoperability Communication System (LA-RICS). This will allow communication compatibility between city partners such as the Sheriff's Department, Fire Department, and external partners. Phase 1 of this project funded the initial equipment purchase (radios, batteries and chargers) to transition to LA-RICS. Phase 2 included the installation and programming of radio equipment. Phase 3, the final phase, includes additional radios and accessories that were not accounted for in Phase 1.

Staff has obtained quotes for the radio project from the following NASPO contractor for a total of \$351,776.84:

1. Portacraft, Inc. - JVC Kenwood - 28 NX 5800BK mobile radios and accessories: \$85,356.78 (Exhibit No. 1).
2. Portacraft, Inc. - JVC Kenwood - 92 NX 5300K2 portable radios and accessories: \$266,420.06 (Exhibit No. 2).

Section 2611(g) of the City's Municipal Code (CMC) allows City, through its Purchasing Manager, to dispense with competitive bidding processes to purchase materials, supplies, equipment, or services by utilizing a cooperative purchasing program engaged in by any local, county, State, or Federal public entity or entities, even if the contracts and implementing agreements entered into by the participating entity or association under those cooperative purchasing programs were not entered into pursuant to a process that resulted in the contract being awarded to the lowest responsible and responsive bidder

under CMC 2610(i); provided, that the selected bidder was selected in compliance with the competitive bidding or proposal process requirements of any participating entity or association within three years of City's approval of the City contract entered into with the selected bidder via cooperative purchasing. The City Council has made a determination that the benefits to City of utilizing cooperative purchasing outweigh any incremental higher price that may be paid by City in certain instances as a result of not soliciting directly utilizing the lowest responsible and responsive bidder standard under CMC 2610(i).

The National Association of State Procurement Officials (NASPO) is a cooperative purchasing agency facilitating public procurement solicitations and agreements using a lead-state model. After engaging in a competitive bidding process NASPO awarded Master Agreement No. 00318 for Public Safety Communications Equipment to Portacraft, Inc., a retail dealer of JVC Kenwood products.

The City's Purchasing Manager has determined that the NASPO cooperative purchasing bidding process complies with the requirements of Section 2611(g) of the CMC and has therefore waived the formal bidding process for purchase of the radio equipment through the NASPO program (Exhibit No. 3). Staff is recommending approving the use of the NASPO cooperative purchasing agreement with Portacraft, Inc. as allowed by Carson Municipal Code Section 2611(g), and requests City Council approval of a Purchase Agreement for the purchase of radios, radio equipment, batteries, and chargers, for a combined amount not to exceed \$351,776.84 (Exhibit No. 4).

## **V. FISCAL IMPACT**

None. Funding for this item, if the agreement is awarded, will come from the Emergency Services (101-55-593-138-6004-) and Public Works (101-80-840-102-6009-) operating budget.

## **VI. EXHIBITS**

1. JVC Kenwood quote no. 1
2. JVC Kenwood quote no. 2
3. Purchasing Manager Waiver
4. Purchase Agreement

Prepared by: Nora Garcia, Emergency Services Manager