



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Mariano Augello, Chief of Police

DATE: May 2, 2024

RE: Contract: Target Systems, parts, repairs and services – Police Department
(Action Target Moving Systems (sole source) - \$125,829).

SUMMARY:

Action Target Systems provided and installed a complete firearms range moving target system in June 2016. Procurement was under the GSA contract #GS-07F-0482Y Law Enforcement and Security Equipment Supplies and Services. In July 2023 the system was hit by lightning and the repairs were not covered by the contract.

The Police Department attempted to obtain quotes from vendors to repair the system. The Police Department was unsuccessful as the vendors could not supply equipment compatible with Action Target Systems. Action Target Systems is the sole manufacturer of all products and parts, and they have copyrights and/or patent protection on most of the major components to the firearm range moving systems. Action Target Systems provided a quote along with a sole source letter to repair the systems.

The Procurement Ordinance defines a sole source as “an item that is the only one that will produce the desired results, or fulfill the specific need, and the item is available from only one source of supply. Therefore, there is an inability to obtain competition. Due diligence must be performed to verify an item is truly a sole source, and the original justification documentation shall be properly maintained.” Ordinance 38.13(F)(2) requires Council approval of a sole source purchase over \$100,000. Pursuant to the City Code of Ordinances Section 38.13(F)(2), a sole source posting for the parts, repairs and services was posted on Vendorlink on March 7, 2024, and ended on March 28, 2024, under sole source SS #09-0-2024. There were no responses received regarding the sole source posting. The Sole Source has an expiration date of three (3) years.

REQUESTING DEPARTMENTS:

Police

Procurement

FISCAL IMPACT:

The projected cost of repairs is quoted as \$125,829. Through the City of Palm Bay Insurance Claim #417822 with Engle Martin, insurance proceeds of \$121,345 were allocated on Budget Amendment #1 from G/L Account # 001-0000-388-2001 to G/L Account # 001-5011-521-4640. The full estimated cost of \$125,829 is available in G/L Account# 001-5011-521-4640 for the repairs as the Police Department will be covering the difference between insurance proceeds and estimated cost using budgeted range maintenance funds.

STAFF RECOMMENDATION:

Motion to approve the sole source for the repair of the Action Target Moving Systems along with approval for the annual purchases of parts, repairs and services related to the firearms range moving target systems on an “as-needed” basis from Action Target Moving Systems.

ATTACHMENTS:

1. Sole Source letter
2. Statement of Loss
3. Quote 141595 v1