

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



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



City of Palm Bay Procurement Department
120 Malabar Road, SE, Palm Bay, FL 32907
Phone (321) 952-3424

NOTICE OF INTENT TO SOLE SOURCE
ACTION TARGET SYSTEMS
SS # 09-0-2024

The City of Palm Bay intends to recommend the award of a purchase order to **Action Target Inc.** for the provisions to purchase parts, services, support and repairs to Action Target Systems.

Description of services or a list of equipment to be purchased:

- Parts, Services, Repairs and Services for Action Target Systems for the Palm Bay Police Department.
- Action Target is the original equipment manufacturer and installer of the firearms range moving target system for the City of Palm Bay Police Department.

Vendors who believe they can meet or exceed the above stated requirement must provide convincing technical data sufficient to support their position. Any responses received as a result of this Notice of Intent shall be considered solely for the purpose of determining whether to conduct a competitive procurement. Responses will not be considered as proposals, bids, or quotes.

The City of Palm Bay Procurement Department must receive replies to this notice no later than **5:00 P.M. on March 28, 2024.** After this date, an award will be made. Responses to this notice will be used to determine whether bona fide competition exists.

Written responses shall be submitted via email to the City of Palm Bay Procurement Department, ATTN: Debbie Feingold, Procurement Agent III, debra.feingold@pbfl.org.

DATE POSTED: 03/07/2024



BETTER EQUIPPED. BETTER PREPARED.™

Palm Bay Police Department.

To Whom it may concern:

November 29, 2023

Action Target Inc. was incorporated in Utah in 1986. We are in the business of supplying Police, Military, and other agencies with Firearms training equipment and firing range systems. Our Federal Tax ID # is 26- 2492705. DUNS: 36-115-8918. Because of our extensive work with federal agencies, we are the only full line target and range manufacturer that has been given a singular source GSA contract (**GSA #GS-07F-0482Y**), Cage Code #ON2W7) by the federal government. We are the sole manufacturer of all of our current products and parts and have copyright and/or patent protection on most of the major items we manufacture.

Action Target is the original manufacturer of the firearms training equipment currently in use at the **Palm Bay Police Department. As such we are the only source for replacement parts and factory authorized service and repair.** Choosing Action Target will ensure that you get authentic parts, service, and support. Virtually all of the items provided for your range were manufactured by Action Target Inc. Any repairs, service, maintenance, or replacement parts not provided by Action Target cannot be supported by Action Target and will void any remaining warranty. No one else manufactures, supplies or distributes parts for your Action Target system.

Thank you for considering Action Target. No one is better prepared to keep your facility operating better, longer. Please let me know if you have any questions or concerns.

Sincerely,

Shannon Leetham
Range Services Account Manager
Action Target Inc.
Direct Line Phone 801-705-9170
Fax 801-377-8096
Sleetham@actiontarget.com



STATEMENT OF LOSS

Insured: City of Palm Bay
Claim Number: 417822
Policy Number: PX FL1 0052502 22-08
Date of Loss: Friday, July 28, 2023
Nature of Loss: Lightning
Location of Loss: 621 Hurley Blvd. SW, Palm Bay, FL 32908
EM Number: 1000417143

<u>Coverage & Detail</u>	<u>Itemization</u>	<u>Value</u>	<u>Loss</u>	<u>Claim</u>
<u>Real Property:</u>		N/A		
Action Target Quote	\$ 121,344.82			
Amplifier Receipt (Amazon)	\$ 379.00			
Johnstone Supply Invoice	\$ 290.13			
HP Quote (Printer)	\$ 643.08			
Replacement Cost Loss	\$ 122,657.03		\$ 122,657.03	
Deductible	\$ (2,500.00)			
Recoverable Depreciation	\$ (36,797.11)			
Actual Cash Value Claim	\$ 83,359.92			\$ 83,359.92



Action Target Inc. 3411 S. Mountain Vista Parkway, Provo, UT 84606-0636 801-377-8033 FAX: 801-377-8096

Palm Bay Police Dept-Lightening strike; Power 90, Convert Manual Runners and New Control System

Quotation: 141595 By: Shannon Leetham Printed: 2023-Nov-13

Included Items:

4	Convert 4 Manual Runners to Continuous Duty	30,128.16
2	Extra for Liquidity and supplies to buy local for Manual Runner convert	1,000.00
2	Upgrade controls to Tablet w/ WIFI per range	29,200.00
20	TCM, 1 input 2 outputs	3,386.20
2	Power 90 refurbishment	25,887.10
2	Extra for liquidity and supplies to buy local for Power 90 refurb	1,000.00
2	TCM bank controller	1,123.60
2	DC power supply	2,396.22
2	Labor - 2 techs for up to 5 day's for each range.	30,200.00
Shipping		1,507.50
Total		<u>125,828.78</u>

Payment Terms:

Credit Card

Shipping Terms:

Delivered

Installation Terms:

n/a

Terms and Conditions:

You must reference the Order Number above on your purchase order to secure best price. Action Target reserves the right to adjust installation costs based upon the actual site conditions encountered. Unless explicitly itemized, price does not include taxes, bonds, fees, assessments, licenses, mandatory wage requirements or other regulatory costs which may be applicable to the job site.

Comments:

Quote for 2 Ranges 6 & 7. Tax Exempt. No items in GSA. Quote good for 30 days. Range refurbishment. This is preliminary cost. Tech that comes for visit will verify everything and see if anything needs to be added. Manual Runner converted to Continuous Duty, New control system with surface pro and new air command. Wifi installed on range allowing remote connections to run targets. Power 90 targets changed to allow them to be in faced position when air is turned on.