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**RESOLUTION 20-238**

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**Resolution Awarding a Contract to Axon Enterprise, Inc. for the Purchase of Body Cameras, Vehicle Mounted Camera Equipment, Cloud-based Digital Evidence Management System, Interview Room Recording System and Associated Goods and Services for Use by the Princeton Police Department in a Not to Exceed Contract Amount of \$550,860.65**

**WHEREAS**, the Municipality of Princeton seeks to purchase sixty (60) body cameras, twenty-one (21) vehicle mounted camera equipment, a cloud-based digital evidence management system, an interview room recording system and associated goods and services for use by the Princeton Police Department; and

**WHEREAS**, in May and June 2020 Princeton attempted to procure these goods and services by soliciting public bids but rejected the bids received as unresponsive; and

**WHEREAS**, since that time Princeton also researched available goods and services from qualified vendors that would serve Princeton's needs and determined that the sought-after goods and services could be purchased through a nationally recognized and accepted cooperative purchasing contract; and

**WHEREAS**, Sourcewell has entered into a national cooperative purchasing agreement for "Public Safety Video Surveillance" with vendor Axon Enterprise, Inc., which is made available to governmental agencies through Sourcewell, of which Princeton has been a member for several years; and

**WHEREAS**, consistent with the Sourcewell cooperative purchasing contract and needs of Princeton, Axon Enterprise, Inc. has submitted a proposal to provide the sought-after goods and services to Princeton; and

**WHEREAS**, pursuant to N.J.S.A. 52:34-6.2b.(3) (as amended by P.L. 2011, c.139) and LFN 2012-10, a New Jersey municipality may purchase goods and services without public bidding under the Local Public Contracts Law through the use of a nationally recognized and accepted cooperative purchasing contract that has been developed utilizing a competitive bidding or contracting process by another contracting unit within New Jersey or another state; and

**WHEREAS**, Sourcewell is a service cooperative and local government unit of the State of Minnesota; and

**WHEREAS**, the subject cooperative purchasing contract was awarded by Sourcewell to Axon Enterprise, Inc. utilizing a competitive contracting process, and is made available to participating agencies such as Princeton; and

**WHEREAS**, also pursuant to N.J.S.A. 52:34-6.2b.(3) (as amended by P.L. 2011, c.139) and LFN 2012-10, prior to making purchases under nationally recognized and accepted cooperative purchasing contracts, Princeton must determine that the use of the cooperative purchasing contract shall result in cost savings after all factors, including charges for service, material, and delivery, have been considered; and

**WHEREAS**, based on their research, the Princeton Police Department, in consultation with the Princeton Attorney's Office, have determined that Princeton's use of the Sourcewell

cooperative purchasing contract to procure the goods and services will result in cost savings to Princeton; and

**WHEREAS**, the Princeton Police Department has also researched the availability of procuring the sought-after goods and services through a New Jersey State contract but the most current model of the desired goods is not available for procurement through a New Jersey State contract at this time; and

**WHEREAS**, the contract cost for the goods and services under the Sourcewell cooperative purchasing contract is anticipated not to exceed \$550,860.65; and

**WHEREAS**, the term of this contract shall be five years for purposes of providing the initial procurement, installation and training, as well as necessary warranty services and equipment and software support and service; and

**WHEREAS**, currently the Sourcewell cooperative purchasing contract with Axon Enterprise, Inc. is due to expire on or about February 21, 2024, which is before the termination of the sought-after five-year term; and

**WHEREAS**, N.J.S.A. 40A:11-5(dd) allows Princeton to award contracts without bidding for the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software, and further N.J.S.A. 40A:11-15(7) allows Princeton to award contracts for servicing of equipment for a period not to exceed five years; and

**WHEREAS**, to ensure that this contract may continue for the necessary five-year term, the portion of the contract for recurring services for the support, service and maintenance of the

Axon equipment and provision of warranty services is also awarded pursuant to N.J.S.A. 40A:11-5(dd) and 40A:11-15(7); and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available for this purchase in 04-215-20-023-053-304; and

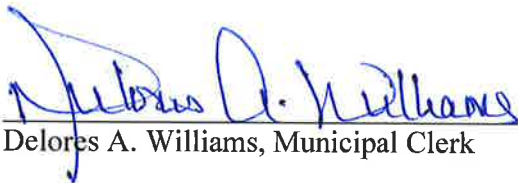
**WHEREAS**, consistent with applicable law, Princeton advertised its intent to make this award to Axon Enterprise, Inc. as well as the public's opportunity to submit comments thereto.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Municipality of Princeton, County of Mercer, State of New Jersey, as follows:

1. The foregoing "Whereas" clauses are hereby incorporated as if fully restated.
2. A contract for the purchase of body cameras, vehicle mounted camera equipment, cloud-based digital evidence management system, interview room recording system, and associated goods and services for use by the Princeton Police Department is hereby awarded to Axon Enterprise, Inc. without public bidding as permitted by law, for the not to exceed contract amount of \$550,860.65 and term of five years, as more fully set forth in the Agreement.
3. The Mayor and Clerk are hereby authorized and directed to execute the Agreement with Axon Enterprise, Inc. in accordance with this Resolution.

Councilperson	Absent	Present	1 <sup>st</sup>	2 <sup>nd</sup>	Yea	Nay	Abstain	Disqualified
Mr. Cohen		X			X			
Ms. Fraga		X	X		X			
Ms. Niedergang		X			X			
Ms. Pirone Lambros		X		X	X			
Ms. Sacks		X			X			
Mr. Williamson		X			X			
Mayor Lempert		X						

I, Delores A. Williams, Municipal Clerk of Princeton, do hereby certify that the above is a true copy of a resolution adopted by the Mayor and Council of Princeton at a meeting held July 27, 2020.

  
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 Delores A. Williams, Municipal Clerk

**ATTACHMENTS:**

- End User Agreement - Final Form (DOCX)
- Princeton (NJ)\_MSPA\_2020-6-8 - MGP updates\_Axon 7-7-20 (1) (DOCX)
- Exhibit B - Equal Employment (DOCX)
- Notice of Intent to Award for July 27 meeting (DOCX)