



Legislation Text

File #: 24-604, **Version:** 1

Report Prepared by: Lt. Tony Aponte, Police Department

SUBJECT: Approval to Waive the Competitive Bidding Process and Purchase a Lenco BearCat G3 Armored Vehicle Utilizing a Government Procurement Program

REPORT IN BRIEF

Considers waiving the competitive bidding process and purchasing a Lenco BearCat G3 vehicle from Lenco Industries Inc., (Lenco) using the Houston-Galveston Area Council Government (H-GAC)-Ambulances, EMS, and Other Special Service Vehicles Purchasing Program.

RECOMMENDATION

City Council - Adopt a motion:

- A. Waiving the competitive bid requirements, in conformance with Section 3.04.210 of the Merced Municipal Code for piggybacking; and,
- B. Authorizing the purchase of one (1) Lenco BearCat G3 from Lenco, with a total purchase price of \$430,332.72, through the H-GAC-Ambulances, EMS, and Other Special Service Vehicles Purchasing Program.

ALTERNATIVES

- 1. Approve as recommended; or,
- 2. Deny the purchase; or,
- 3. Continue this item to a future City Council meeting.

AUTHORITY

Title 3, Article III of the Merced Municipal Code, Purchases Over Thirty-seven Thousand Dollars.

Section 3.04.210 - Exemptions from competitive bidding

Except as otherwise provided in this chapter, competitive bidding requirements for purchases in excess of thirty-seven thousand dollars (\$37,000), the “bidding threshold”, may be waived with the approval of the City Council. Waivers may be authorized for, but are not limited to, cooperative purchasing in conjunction with other governmental entities, professional services, annual service, or supply agreements, or purchases necessary for standardization on particular types of equipment. The bidding threshold shall be adjusted for inflation utilizing the same index and methodology as the bidding threshold in Section 3.04.080 of this code.

CITY COUNCIL PRIORITIES

As provided for in the 2023-24 Adopted Budget and making Public Safety a priority.

DISCUSSION

The Merced Police Department (MPD) is requesting City Council to authorize the purchase of one (1) Lenco BearCat G3 from Lenco, an armored vehicle, with a total purchase price of \$430,332.72. Total purchase price includes the discount through the H-GAC-Ambulances, EMS, and Other Special Service Vehicles Purchasing Program, and 8.25% sales tax. Additionally, we are requesting that the competitive bid requirement be waived based upon the fact that procurement of this vehicle through HGAC meets or exceeds the City's competitive bid and contract requirements.

Need for Replacement

The MPD is requesting authority to replace a 2004 Avenger Armored Vehicle, now serving as our primary tactical response vehicle. It is recommended to replace the 2004 Avenger Armored Vehicle based upon its safety, condition, age, regulatory requirements, and unavailability of parts. The Avenger currently has a cracked ballistic window, door locks that are non-useable, ballistic hood that needs replacement, a turret that continually breaks and an air conditioning system that does not work. The parts to repair these items are no longer manufactured for this vehicle. The team's safety can no longer be guaranteed with our current armored vehicle.

Cooperative Purchasing

The BearCat will be purchased through the HGACBuy Program, Contract Number AM10-23. All products and price structures offered through the HGACBuy program have been awarded through an open, competitive bidding process. Merced Municipal Code 3.04.210-*Exemptions from competitive bidding*, provides the opportunity to purchase equipment through cooperative purchasing in conjunction with other governmental entities. In 2010, the City Council approved the use of HGAC, and the city has used HGAC to procure public works equipment/vehicles. The HGAC is a regional council of governments operating under the laws of the State of Texas and governed by a board of elected officials and has been in existence for more than 30 years. The HGAC Board awards all contracts, which can then be made available to local governments nationwide through HGACBuy, which specializes in capital-intensive products and services that require technical, detailed specifications and extensive professional skills to evaluate the bid responses. All products offered through HGACBuy have been awarded by virtue of an open competitive bid process and enables the city to purchase large, specialized equipment at a greater savings than the traditional method of creating detailed specifications and soliciting and administering the bid process. Because of the national sales base, HGAC's pricing is typically more competitive than a local agency can obtain through its own bidding process. There are no membership fees to purchase through HGAC. The City of Merced is eligible to participate in the HGACBuy program, due to execution of an H-GAC-Ambulances, EMS, and Other Special Service Vehicles Contract for Cooperative Purchasing between the City of Merced and the H-GAC under Contract Number AM10-23.

History and Attributes

Since 1981, Lenco Industries has designed and manufactured armored vehicles for law enforcement, military, government, and private security forces. Lenco has produced more than 5,000 armored vehicles for use in more than 40 countries worldwide. The workmanship, attention to detail, and

performance provided by Lenco exceeds its competition.

Lenco produces the rugged BearCat®, a field-tested platform explicitly designed to enable law enforcement officers to do their jobs efficiently and safely. One heavy-duty chassis supports an impressive lineup of specialized variants, with a full array of optional upgrades and accessories to custom-build the ultimate tactical vehicle for any challenge.

Lenco BearCats are built on customized heavy-duty commercial truck chassis platforms. This means that a warranty covers repairs, maintenance service, and parts replacement and is available at any number of OEM dealers, truck centers, and retail parts stores. Over a five-year period, maintenance cost savings alone often pay for the difference in price between Lenco SWAT trucks and tactical vehicles and other non-commercial, specialized armored vehicles.

The BearCat G3 transforms, base model BearCat G2 into a rugged off-road platform, capable of responding to emergencies in rough rural terrain or natural disaster (floods) scenarios that may restrict standard on-road vehicles. The BearCat G3 features an upgraded heavy-duty suspension and increased ground clearance, as well as off-road wheels and run-flat tires for sure-footed mobility. This higher clearance qualifies the vehicle as a high-water rescue vehicle. Inside, the BearCat G3 offers a large floor plan with room for 10-12 fully equipped personnel to perform their work quickly and smoothly. The commonality of parts between BearCat variants offers a long list of tactical equipment and upgrades, exclusive to Lenco, to custom-build mission-specific variants for Police & Government, Medical and Fire Response.

Pursuant to the City of Merced Municipal Code, Section 3.04.210 - *Exemptions from Competitive Bidding*, the MPD recommends that Lenco remain the standardized vendor for armored vehicle, and that HCAGBuy be utilized to procure the vehicle, which will streamline the acquisition of the vehicle at the best price available.

IMPACT ON CITY RESOURCES

Funding is available within FY23/24 adopted budget utilizing salary savings. The Police Department is also looking for additional funding support for this purchase. If received we would not need all of the salary savings.

ATTACHMENTS

1. Quote 103243 from Lenco Industries Inc.
2. US Government Cooperative Purchasing Contracts
3. Lenco Sole Source letter
4. Lenco Sole Source Specifications