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191535

Emergency Ordinance

***Authorize contract with Axon Enterprises, Inc. to purchase taser equipment and accessories not to exceed \$3,400,000 for the initial term of five years**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The Police Bureau (PPB) has been issuing conducted electronic weapons (CEWs), more commonly known as tasers, since 2002. At that time, the PPB was purchasing CEWs from Taser International Inc., now known as Axon Enterprises, Inc. Axon Enterprises, Inc. (Axon) is the sole source of taser CEWs.
2. From 2005 to 2014, PPB's CEWs were the Taser Model X26 (X26). All patrol personnel were trained and issued model X26 tasers in that time. Axon discontinued the X26, precipitating the move away from that model to one of their latest models, the Taser X2 (X2).
3. In 2015, the Police Bureau started its transition from the taser model X26 to the X2 and trained all patrol personnel on its use. The X2 is currently carried by all uniform patrol officer and sergeants.
4. The X2 is a less-lethal alternative that allows officers to incapacitate a violent or combative subject from a safe distance, while reducing injuries to officers and suspects.
5. Axon Enterprises, Inc., the manufacturer of the X2, has recently notified the PPB that they have discontinued the model and will stop supporting it through the manufacture of accessories. Axon continues to offer limited support for the X2; however, the Police Bureau must select a new model of taser for all future purchases.
6. The Police Bureau is currently planning the conversion of its taser inventory from the model X2 to the Taser Model 7 (7). The 7 model offers improved function over the X2 and is the oldest model currently available through Axon that can support the use of the body worn camera system.

Introduced by

[Mayor Ted Wheeler](#)

Bureau

[Police](#)

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Please use name of Item in the subject line of email, and please copy csprocurement@portlandoregon.gov. Thank you.

📞 [971-409-6408](tel:971-409-6408)

📞 [711](#) Oregon Relay Service

Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

December 6, 2023

Time Requested

20 minutes

7. Contract No. 30003312 for CEWs expired April 29th, 2023, and cannot be renewed. PPB has received authorization from Procurement Services to contract via a sole source procurement but cannot exceed the Chief Procurement Officer's authority threshold of \$1,000,000.
8. The cost to transition to the new 7 model is estimated at \$3,400,000 for five years. The Police Bureau is still determining the most effective budgetary appropriations for this conversion. Funding for the first year of purchases resides in the Police Bureau's existing appropriations.
9. In Accordance with PCC 5.33.120(C), Procurement Services posted a Notice of Intent to Award on its website to notify the public of its intent to award a Sole Source contract to Axon; no protests were received in response to that posting.
10. Immediate action is required to secure the sole source contract for the CEW conversion project as the pricing for the new Taser model is only guaranteed through December 31, 2023. Delay will cost the City of Portland more to fund this necessary conversion.

NOW, THEREFORE, the Council directs:

- A. The Chief Procurement Officer is authorized to award and execute a contract with Axon Enterprises, Inc., in the not-to-exceed amount of \$3,400,000 for an initial term of five years, provided that the contract conforms to processes outlined in PCC 5.33.120 is approved as to form by the City Attorney's Office.

Section 2. The Council declares that an emergency exists because further delay threatens the prompt transition to the new taser model; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
December 6, 2023

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

The Police Bureau (PPB) is tasked with protecting life, quality of life, and property within the City of Portland. In order to comply with this mandate, PPB uses less-lethal options for persuasion to assist subjects with compliance with lawful orders. One of those options is the use of Conducted Electrical Weapons (CEWs), also known as tasers.

PPB has used tasers since 2002, in an effort to reduce the use of lethal force during interactions. Since that time, it has continued to contract with the only provider of Taser products, Axon Enterprises (Axon). Axon has continuously improved its products, providing wider range and more effective connections, reducing the need to use more impactful alternatives.

The Portland Police Bureau is currently using Axon's X2 Taser model (X2); the X2 has met the end of its production life and will no longer be supported by Axon. PPB is now required to plan out a conversion to a newer model, not only because of the obsolescence of the X2 model. The PPB will start integrating the use of body worn cameras into its patrol routines, and the X2 does not support the ability to record video once the taser is deployed.

In light of these facts, and because the current Axon contract is expired and cannot be renewed, the PPB requests the ability to contract with Axon as the sole source of Taser products.

Financial and Budgetary Impacts

The Police Bureau has determined that it has appropriate funding within its budget appropriations for the fiscal year to complete the first phase of the CEW conversion project.

Community Impacts and Community Involvement

CEWs provide the Police Bureau with an option to secure a crime scene using de-escalation techniques and less-lethal force than traditional law enforcement weapons.

100% Renewable Goal

CEW batteries are reusable for many uses.

Budget Office Financial Impact Analysis

The bureau has funds available in current Fiscal Year 2023-24 appropriations for the implementation of conversion to a new model of conducted electronic weapons (CEWs) due to discontinuation of the current model. However, this conversion will present additional cost pressures that will need to be addressed beginning in Fiscal Year 2024-25. The sole source providers of tasers, Axon, has switched to a subscription model bundling tasers, batteries, and support which has substantially raised the per unit cost from the bureau's current model of taser.

Agenda Items

1006 Regular Agenda in [December 6, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/12/6)
(<https://www.portland.gov/council/agenda/2023/12/6>)

Passed

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Mayor Ted Wheeler Yea