

# FORSYTH COUNTY

## BOARD OF COMMISSIONERS

MEETING DATE: OCTOBER 12, 2017

AGENDA ITEM NUMBER: 9

**SUBJECT: RESOLUTION APPROVING PURCHASE OF A REPLACEMENT SPECIAL WEAPONS AND TACTICS (SWAT) TEAM VEHICLE UNDER AN EXCEPTION TO THE BIDDING LAWS CODIFIED IN N.C.G.S. 143-129(E)(6) AND AWARDING A CONTRACT TO Lenco INDUSTRIES, INC. (D/B/A Lenco ARMORED VEHICLES) (FORSYTH COUNTY SHERIFF'S OFFICE)**

**COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:** Recommend Approval

### SUMMARY OF INFORMATION:

The Sheriff's Office proposes to replace the current antiquated SWAT vehicle with the BearCat vehicle produced by Lenco. The new vehicle will serve critical criminal justice purposes including protection, defense and rescue at such events as hostage situations, barricaded subjects, downed officer incidents, mass citizen casualty incidents and active-shooter situations.

The Sheriff's Office has been using a retired 1994 ambulance as the primary SWAT team vehicle since 2004. The current vehicle is well beyond its useful life and is not appropriately designed to serve in a SWAT operations capacity. The vehicle offers no ballistic defense and as an ambulance was not designed to transport SWAT personnel and haul SWAT equipment.

The Sheriff's Office reviewed the unique specifications of three SWAT vehicles from three vendors and determined that the Lenco Armored BearCat has a history of dependability, capability, and excellent customer service and satisfaction, and best meets its needs. Because of the uniqueness of SWAT vehicles, each one is only available from one source.

Therefore, Lenco Industries, Inc., d/b/a Lenco Armored Vehicles, is the Sole Source Manufacturer of the Lenco BearCat Armored SWAT truck, which contains secret, patented, and proprietary processes and features.

This Resolution approves the purchase of a replacement Special Weapons and Tactics (SWAT) team vehicle under an exception to the bidding laws codified in N.C.G.S. 143-129(e)(6). Under this provision, the bid procedures do not apply to purchases of apparatus, supplies, materials, or equipment when (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration.

The Sheriff's Office FY 2017-2018 agency operating budget contains appropriated funds specifically allocated for the replacement of the SWAT vehicle using Federal Forfeiture Funds (no General Fund dollars). The attached Resolution awards a sole source purchase in the amount of \$284,139, excluding tax, to Lenco Industries, Inc. (d/b/a Lenco Armored Vehicles).

ATTACHMENTS:  YES  NO

SIGNATURE: J. Audrey Watts/csh

COUNTY MANAGER

DATE: October 11, 2017

**RESOLUTION APPROVING PURCHASE OF A REPLACEMENT SPECIAL WEAPONS  
AND TACTICS (SWAT) TEAM VEHICLE UNDER AN EXCEPTION TO THE BIDDING  
LAWS CODIFIED IN N.C.G.S. 143-129(E)(6) AND AWARDING A CONTRACT TO  
LENCO INDUSTRIES, INC. (D/B/A LENCO ARMORED VEHICLES)  
(FORSYTH COUNTY SHERIFF'S OFFICE)**

**WHEREAS**, the Forsyth County Sheriff's proposes to replace the current antiquated SWAT vehicle with a BearCat vehicle produced by Lenco Industries, Inc. (d/b/a Lenco Armored Vehicles) to serve critical criminal justice purposes including protection, defense and rescue at such events as hostage situations, barricaded subjects, downed officer incidents, mass citizen casualty incidents and active-shooter situations; and

**WHEREAS**, N.C.G.S. 143-129(e)(6) provides that formal bid procedures do not apply to purchases of apparatus, supplies, materials, or equipment when: (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration; and N.C.G.S. 143-129(e)(6) further requires the governing board to approve purchases under the above provisions prior to the award of the contract; and

**WHEREAS**, Lenco Industries Inc., d/b/a Lenco Armored Vehicles, is the manufacturer and sole distributor of the BearCat Armored SWAT vehicle; and

**WHEREAS**, it is the recommendation of the County Manager, the Sheriff, and the Purchasing Director that Forsyth County award a contract for the purchase of a replacement SWAT vehicle to Lenco Industries, Inc., d/b/a Lenco Armored Vehicles, in the amount of \$284,139, excluding tax; and

**WHEREAS**, the County Chief Financial Officer has determined that sufficient funds are available to cover the cost of this purchase;

**NOW, THEREFORE, BE IT RESOLVED**, that the Forsyth County Board of Commissioners hereby approves the purchase of a Lenco BearCat Armored SWAT truck for use by the Forsyth County Sheriff's Office, in the amount of \$284,139, excluding tax, under the exception to the bidding laws as provided and authorized by N.C.G.S. 143-129(e)(6).

**BE IT FURTHER RESOLVED**, that the Forsyth County Board of Commissioners hereby awards a contract to Lenco Industries, Inc d/b/a Lenco Armored Vehicles, in the amount of \$284,139, excluding tax, for the purchase of a BearCat Armored SWAT vehicle for use by the Forsyth County Sheriff's Office SWAT team.

**BE IT FURTHER RESOLVED** that the County Manager and Clerk to the Board are hereby authorized to execute, on behalf of Forsyth County, a contract with Lenco Industries, Inc., d/b/a Lenco Armored Vehicles, for the purchase of a BearCat Armored SWAT vehicle in the amount of \$284,139, excluding tax, subject to a pre-audit certificate thereon by the County Chief Financial Officer, where applicable, and approval as to form and legality by the County Attorney.

Adopted this 12<sup>th</sup> day of October, 2017.