

**ORDINANCE NO. 125-21****AN ORDINANCE DECLARING AN EXCEPTIONAL SITUATION AND WAIVING THE REQUIREMENTS OF COMPETITIVE BIDDING FOR THE PURCHASE FROM AXON ENTERPRISE, INC., OF TASER, CAMERA, VIDEO, AND OTHER EQUIPMENT, AND CORRESPONDING LICENSES, FOR THE FORT SMITH POLICE DEPARTMENT**

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**WHEREAS**, Axon Enterprise, Inc. is a cooperative consortium member of Sourcewell, a Minnesota based cooperative procurement agency, and is a provider of taser, camera, video and other equipment used by the Fort Smith Police Department; and,

**WHEREAS**, the City of Fort Smith for its Police Department is party to existing agreements with Axon Enterprise, Inc. (Ordinances 50-17, 36-19, and 50-21) for the purchase of Police Department taser, camera, and video equipment with corresponding licenses; and,

**WHEREAS**, The City of Fort Smith Police Department and Axon Enterprise, Inc. desire to consolidate the existing purchase agreements and provide for the purchase of additional equipment and corresponding licenses by a new purchase agreement based on the attached Axon Quote - 344473-44503.694BM;

**BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:**

**SECTION 1:** There is hereby declared an exceptional situation consisting of the need to acquire from Axon Enterprise, Inc., a Sourcewell cooperative consortium supplier, taser, camera, video, and other police department equipment, with corresponding licenses, as set forth in the attached Axon Quote – 344473 – 44503.694BM for the Fort Smith Police Department. Based on the declared exceptional situation, competitive bidding requirements for the purchase of the described equipment and licenses are hereby waived.

**SECTION 2:** Axon Enterprise, Inc. Quote – 344473 – 44503.694BM for taser, camera, video, and other police department equipment, with corresponding licenses, is hereby accepted. Payments in a total amount of \$1,356,225.84 shall be made pursuant to the following schedule of dates and amounts:

	INVOICE DATE	AMOUNT DUE
Payment 1	Dec, 2021	\$140,001.84
Payment 2	Jan, 2022	\$89,000.02
Payment 3	Jan, 2023	\$281,805.96
Payment 4	Jan, 2024	\$281,805.96
Payment 5	Jan, 2025	\$281,805.96
Payment 6	Jan, 2026	\$281,805.96

The purchase of equipment and license services shall be pursuant to the terms and conditions of the Axon Master Services and Purchasing Agreement, release date of June 10, 2020.

**SECTION 3:** The City Administrator is hereby authorized to take any and all necessary actions to complete the purchase agreement authorized by Section 2 of this Ordinance.

**SECTION 4:** The obligation of the City of Fort Smith pursuant to the purchase agreements authorized by Ordinances 50-17, 36-19, and 50-21 are consolidated into the purchase agreement authorized by Section 2 of this Ordinance, and all payment or other obligations of the City of Fort Smith pursuant to Ordinances 50-17, 36-19, and 50-21 are superceded and extinguished.

PASSED AND APPROVED THIS 2<sup>nd</sup> DAY OF DECEMBER, 2021.

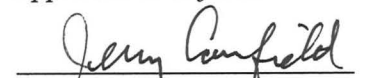
APPROVED:

  
MAYOR

ATTEST:

  
CITY CLERK

Approved as to form:

  
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