MEMO

City Manager's Office

To: City Council

From: Jason Rogers, City Manager

Subject: Q2 2026 Procurement Waiver Report

Date: July 28, 2026

Per Article II, Section E of the City's Procurement Policy, I am submitting this Q2 2026 Procurement Waiver Report.

Article II, Section E of the Procurement Policy is included below for reference.

E. <u>Sole Source & Waivers</u>

The City Manager may approve waivers from the requirements of this Policy, if determined to be in the City's best interest, and may approve sole source procurements when the proposed procurement of goods or services cannot be achieved through competitive solicitation. The nature of the relevant circumstances that prohibit competition or justify a waiver shall be submitted in writing to the City Manager for approval. The City Manager shall provide a summary of sole source procurements and waivers to City Council quarterly.

During the 2nd Quarter 2026, the following Procurement Waivers were approved.

Vendor	Amount	Impacted Fund	Term
Shield Assessments	$60,000	General Fund	1 Year
Acreo Labs, Inc (dba Resilience)	$30,000	General Fund	1 Year
Plante Moran	$85,000	General Fund	2 years
Omnigo Software, LLC	$15,418	General Fund	1 Year
Total - General Fund	**$190,418**		
Gades Sales	$3,600	General Capital Projects	3 Years
Total – General Capital Funds	**$3,600**		

<u>% of Fund's 2026 Operating Expenditure Budget</u>

General Fund 0.15%

General Capital Funds 14.60%

Please see attached forms for more details regarding these approved waivers.

Commerce CITY **Procurement Waiver Justification Form**

The City Manager may approve waivers from the requirements of the procurement policy, if determined to be in the City's best interest, and may approve sole source procurements when the proposed procurement of goods or services cannot be achieved through competitive solicitation. Waivers are tracked and reported to City Council quarterly.

Requesting Department: Police

Division: 307

Contract/Project Manager: Dave Bores

Procurement Description: Psychological testing for new hires

GL Acct. Number: 010-14-307-732-018

Vendor: Shield Assessments

Contract Length: 1 Year

Requested Waiver Amount: Not to exceed $60,000

Select Waiver Type:

Sole Source Only one supplier meets the requirement of the City so procurement cannot be achieved through a competitive solicitation. This selection should be made if there is only one confirmed and documented source for the purchase.	☐	**Standardization** The purchase aligns with a standard previously set by the City. Examples of the proper use of this selection could include purchasing Ford vehicles due to certified staff trained to repair Fords or purchasing Dell computers to achieve citywide hardware uniformity. Vendors cannot be standardized.	☐	**Other** This selection captures waiver requests that fall outside the defined Sole Source and Standardization classifications. A detailed explanation outlining the circumstances for the procurement should be included with this selection.	☒

Provide a detailed summary outlining the circumstances that justify bypassing the procurement policy. Include details about the desired outcome of this purchase and how approval of this waiver will benefit Commerce City.

The Police Department is respectfully requesting a procurement waiver to allow time to complete the RFP process to identify a new provider for psychological examinations for prospective new hires. Current rules set by Colorado P.O.S.T. (Rule 29 – Hiring Standards) requires each individual serving as a peace officer to complete a psychological examination prior to the date of their appointment. The police department does have a contract with a vendor to provide this service; however, the satisfaction with their service and product has declined to the point where it no longer meets the expectations of the police executive staff. The police department is not in a position where it can delay hiring officers without compromising service levels until a suitable vendor is under contract

The Training and Recruiting unit identified Shield Assessments as a provider of this service in the interim to allow time to complete an RFP and finalize a contract. Shield Assessments has over 30 years of experience in the field of public safety psychological assessments and their level of service has been vetted with a positive outcome in relation to quality and timeliness of reports.

Approval of this waiver is in the best interest of Commerce City to ensure efficiency and quality of the police officer hiring process while satisfying state mandated requirements.

Procurement Review

Commerce CITY

Procurement Waiver Justification Form

Recommended ☐ Not Recommended ☐ Recommended

Signed by:
Jen Harbour
C037AA0E796348A...

Procurement Officer ____________ Date: 4/6/2026 | 4:29 PM MDT

Approvals

Signed by:
Darrel Guadnola
508428267808497...

Department Director: ____________ Date: 4/6/2026 | 4:39 PM MDT

Signed by:
Sheryl L. Carstens
5C62FC87D45847D...

Deputy City Manager: ____________ Date: 4/6/2026 | 6:35 PM MDT

DocuSigned by:
Jim Tolbert
9C157D65E923436...

Assistant City Manager: ____________ Date: 4/6/2026 | 6:36 PM MDT

Signed by:
A1672F8B883F4CD...

City Manager: ____________ Date: 4/6/2026 | 7:12 PM MDT

Procurement Waiver Justification Form

The City Manager may approve waivers from the requirements of the procurement policy, if determined to be in the City's best interest, and may approve sole source procurements when the proposed procurement of goods or services cannot be achieved through competitive solicitation. Waivers are tracked and reported to City Council quarterly.

Requesting Department: Information Technology

Division: 651

Contract/Project Manager: Tiffany Chacon

Procurement Description: Resilience Cyber - Edge Engagement Software and Services.

GL Acct. Number: 010-11-010-784-000

Vendor: Acreo Labs, Inc (dba Resilience)

Contract Length: 1 Year

Requested Waiver Amount: $ 30,000

Select Waiver Type:

Sole Source Only one supplier meets the requirement of the City so procurement cannot be achieved through a competitive solicitation. This selection should be made if there is only one confirmed and documented source for the purchase.	☐	**Standardization** The purchase aligns with a standard previously set by the City. Examples of the proper use of this selection could include purchasing Ford vehicles due to certified staff trained to repair Fords or purchasing Dell computers to achieve citywide hardware uniformity. Vendors cannot be standardized.	☒	**Other** This selection captures waiver requests that fall outside the defined Sole Source and Standardization classifications. A detailed explanation outlining the circumstances for the procurement should be included with this selection.	☐

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Since 2023, the HR/Risk Division has renewed annual invoices for Resilience/Edge software and services, used for cybersecurity monitoring per a recommendation in the cities insurance policy. During the review of the 2026 invoice, IT and HR discussed shifting renewal responsibility to IT. IT confirmed with the vendor and CAO that these renewals are separate from Cyber Security Insurance and do not qualify as exceptions under procurement policy (G-Exceptions 1). IT intends to process the 2026 renewal to ensure uninterrupted cyber monitoring while partnering with Procurement and Legal for a compliant procurement process. A procurement waiver and one-year contract are required for renewal during this transition.

Procurement Review

Recommended ☐ **Not Recommended** ☐

Signed by:

Procurement Officer Jen Harbour
C037AA0E796348A...

Date: 5/5/2026 | 7:21 AM MDT

Revised January 2, 2026

Commerce CITY

Procurement Waiver Justification Form

Approvals

Department Director: DocuSigned by: Tiffany Chacon 8C4A141FE577494... Signed by: Carlton Babbidge 46AE31A709CF420... Date: 5/1/2026 | 12:30 PM MDT

Deputy City Manager: Signed by: Sheryl L. Carstens DocuSigned by: B6625C87D45947D... Date: 5/5/2026 | 10:36 AM MDT

Assistant City Manager: Jim Tolbert 3C157D65E923436... Date: 5/5/2026 | 9:38 AM MDT

City Manager: Signed by: A1672F8B883F4CD... Date: 5/13/2026 | 4:34 PM MDT

Procurement Waiver Justification Form

The City Manager may approve waivers from the requirements of the procurement policy, if determined to be in the City's best interest, and may approve sole source procurements when the proposed procurement of goods or services cannot be achieved through competitive solicitation. Waivers are tracked and reported to City Council quarterly.

Requesting Department: Community Development

Division: 252

Contract/Project Manager: Mike Sutherland

Procurement Description: Metropolitan District Annual Report Review

GL Acct. Number: 010-13-252-602-000

Vendor: Plante Moran

Contract Length: 2 Years

Requested Waiver Amount: $85,000

Select Waiver Type:

Sole Source Only one supplier meets the requirement of the City so procurement cannot be achieved through a competitive solicitation. This selection should be made if there is only one confirmed and documented source for the purchase.	☐	**Standardization** The purchase aligns with a standard previously set by the City. Examples of the proper use of this selection could include purchasing Ford vehicles due to certified staff trained to repair Fords or purchasing Dell computers to achieve citywide hardware uniformity. Vendors cannot be standardized.	☐	**Other** This selection captures waiver requests that fall outside the defined Sole Source and Standardization classifications. A detailed explanation outlining the circumstances for the procurement should be included with this selection.	☒

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- In September of 2025, staff created a process for submitting Metro District annual reports to Commerce City for review, with the intention of securing a consultant contract in December or January of 2026. The first RFP failed to net a qualified candidate, and staff issued a second and revised RFP, with limited success. At this point, we are faced with securing a contract and reviewing both 2025 and 2026 reports in the same year. A contract is urgently needed.
- The second RFP yielded a group of five candidates with a bid range between $275,000 and $50,000 per year, which illustrates a significant gap between the requested scope of services and the respondent's abilities to achieve the desired scope of services. Our budget for the project, based on the 2024 review, is approximately $35,000 per year.
- The highest-ranking firm in the second RFP had lower technical and experience scores, but its bid price was the only one close to the projected budget.
- Plante Moran, through the Finance Department, submitted an engagement letter (attached) that addresses the scope of services and the anticipated budget. Once the 2027 review period is completed and more comprehensive, reliable data is available, the City will issue a Request for Qualifications to competitively solicit for a new firm to provide these ongoing services.

Procurement Waiver Justification Form

Procurement Review

Recommended ☒ **Not Recommended** ☐

Procurement Officer Signed by: Jen Harbour C037AA0E796348A... Date: 5/29/2026 | 8:35 AM MDT

Approvals

Department Director: Signed by: Michael Sutherland 49A83FA27ECE4B4... Date: 5/29/2026 | 9:27 AM MDT

Deputy City Manager: Signed by: Sheryl L. Carstens 5C62FC87D45847D... Date: 6/4/2026 | 2:31 PM MDT

Assistant City Manager: DocuSigned by: Jim Tolbert 9C157D65E923436... Date: 5/29/2026 | 11:45 AM MDT

City Manager: Signed by: A1672F8B883F4CD... Date: 6/9/2026 | 2:29 PM MDT

Procurement Waiver Justification Form

The City Manager may approve waivers from the requirements of the procurement policy, if determined to be in the City's best interest, and may approve sole source procurements when the proposed procurement of goods or services cannot be achieved through competitive solicitation. Waivers are tracked and reported to City Council quarterly.

Requesting Department: Information Technology

Division: 653

Contract/Project Manager: Tiffany Chacon

Procurement Description: Omnigo Rhodium Incident Command software

GL Acct. Number: 010-14-308-731-231

Vendor: Omnigo Software, LLC

Contract Length: 1 Year

Requested Waiver Amount: $ 15,418

Select Waiver Type:

Sole Source Only one supplier meets the requirement of the City so procurement cannot be achieved through a competitive solicitation. This selection should be made if there is only one confirmed and documented source for the purchase.	☐	**Standardization** The purchase aligns with a standard previously set by the City. Examples of the proper use of this selection could include purchasing Ford vehicles due to certified staff trained to repair Fords or purchasing Dell computers to achieve citywide hardware uniformity. Vendors cannot be standardized.	☐	**Other** This selection captures waiver requests that fall outside the defined Sole Source and Standardization classifications. A detailed explanation outlining the circumstances for the procurement should be included with this selection.	☒

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Since 2022, the Police Emergency Operations division has used Rhodium Incident Command Software (now Omnigo) for EOC operations. In 2026, a new contract was signed for VEOCI Command software to replace Rhodium, but its implementation timeline does not match the end of the Rhodium/Omnigo renewal, which could leave the EOC without essential command software during upcoming events, such as July 3rd, July 4th,, Phish Concert and Labor Day. To bridge this gap, we propose renewing the existing software for one year to allow time for CCPD to implement VEOCI. We requested Rhodium's lowest-priced, shortest-term package, resulting in a renewal cost of $15,418.80. CCPD opted to waive the procurement process to expedite documentation rather than pursue quotes from vendors not under consideration. IT is initiating this form in collaboration with the CCPD so we can also execute a 1 year contract.

The new Software, Veoci will be fully implemented in late 2026. This software was procured using an approved cooperative contract and there will not be a need for additional future waivers.

Procurement Review

Commerce CITY **Procurement Waiver Justification Form**

Recommended ☒ Not Recommended ☐

Procurement Officer Signed by: Jen Harbour C037AA0E796348A... Date: 6/9/2026 | 4:03 PM MDT

Approvals

Department Director: DocuSigned by: Tiffany Chacon 8C4A141FE577494... Date: 6/17/2026 | 10:45 AM MDT

Deputy City Manager: Signed by: Sheryl L. Carstens 5C62F067D45047D... Date: 6/17/2026 | 2:57 PM MDT

Assistant City Manager: DocuSigned by: Jim Tolbert 9C157D65E923436... Date: 6/17/2026 | 11:49 AM MDT

City Manager: Signed by: A1672F8B883F4CD... Date: 6/18/2026 | 8:15 AM MDT

Procurement Waiver Justification Form

The City Manager may approve waivers from the requirements of the procurement policy, if determined to be in the City's best interest, and may approve sole source procurements when the proposed procurement of goods or services cannot be achieved through competitive solicitation. Waivers are tracked and reported to City Council quarterly.

Requesting Department: Public Works

Division: Engineering

Contract/Project Manager: Michael Renk

Procurement Description: Request approval of a Standardization Procurement Waiver and subsequent development of a Master Price Agreement for Yunex M60 Traffic Signal Controllers

GL Acct. Number: 395-15-750-307

Vendor: Gades Sales

Contract Length: 3 Years

Requested Waiver Amount: Set price of $3,600/controller

Select Waiver Type:

Sole Source Only one supplier meets the requirement of the City so procurement cannot be achieved through a competitive solicitation. This selection should be made if there is only one confirmed and documented source for the purchase.	☐	**Standardization** The purchase aligns with a standard previously set by the City. Examples of the proper use of this selection could include purchasing Ford vehicles due to certified staff trained to repair Fords or purchasing Dell computers to achieve citywide hardware uniformity. Vendors cannot be standardized.	☒	**Other** This selection captures waiver requests that fall outside the defined Sole Source and Standardization classifications. A detailed explanation outlining the circumstances for the procurement should be included with this selection.	☐

Provide a detailed summary outlining the circumstances that justify bypassing the procurement policy. Include details about the desired outcome of this purchase and how approval of this waiver will benefit Commerce City.

Commerce City utilizes Yunex M60 traffic signal controllers City-wide. There is no alternate or substitute controller. The controllers must be compatible with our existing central signal control system, TACTICS. Only Yunex M60 controllers are compatible with this system. The process that set M60 controllers as the City standard has occurred over many years and the City's traffic signal network is fully developed with these controllers. Yunex (manufacturer of the M60 controller) has indicated that Gades Sales, Co is the "sole distributor authorized to sell, install and support Yunex" products in Colorado. This request is for approval of a Standardization Procurement Waiver and for staff to subsequently develop a Master Price Agreement that will hold the controllers at a set price for a three year period.
* Staff has contacted other potential Yunex vendors, including Mobotrex, and it has been communicated that they will not attempt to sell Yunex products in Colorado due to the existing business agreements. Gades has provided a controller unit price of $3,600 per controller as the proposed price in an agreement. Gades has indicated that they will honor this price for a 3 year period from the execution of the Master Price Agreement. Public Works staff believes this to be an acceptable price in 2026 considering ongoing price/cost escalation for this type of equiment. In 2022, the price was $3,225 per controller. Additionally, attached is a coop purchase

Commerce CITY **Procurement Waiver Justification Form**

price list received from Procurement staff with various price points on Yunex controllers. Public Works staff anticipates that a minimum of 5 controllers will be purchased per year. Controllers purchased under this waiver and price agreement will be utilized to replace older controllers that are reaching end of service life along utilization at new signalized intersections.

* With Yunex controllers solely utilized in the City system, the City will continue to work with Yunex's authorized distributor/partner only. Please note that a change to another controller type and central signal control system manufacturer is anticipated to cost approximately $600,000. PW staff will continue to monitor the market at the time of agreement renewal to determine if any additional distributors have been authorized in Colorado to allow for future competition.

Procurement Review

Recommended ☒ **Not Recommended** ☐

Procurement Officer Signed by: Jen Harbour C037AA0E796348A... Date: 4/27/2026 | 12:41 PM MDT

Approvals

Department Director: DocuSigned by: Jenna Hahn F920F03E00ED40F... Date: 4/30/2026 | 10:25 AM MDT

Assistant City Manager: DocuSigned by: Jim Tolbert 9C157D65E923436... Date: 5/1/2026 | 8:33 AM MDT

City Manager: DocuSigned by: Jason R. Rogers D171CE4703B446B... Date: 5/1/2026 | 3:52 PM MDT