

A RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR THE PURCHASE AND INSTALLATION OF ADVANCED PUBLIC SAFETY TECHNOLOGY TO FLOCK GROUP, INC.

NO. 2023-135

WHEREAS, the City of Commerce City (“City”), intends to purchase and install equipment with the purpose of enhancing both public safety and security while also further enabling the Commerce City Police Department to address and respond to public safety issues and emergencies;

WHEREAS, the City, has identified a single vendor that can provide multiple technologies including real time audio detection with real time alerts (to detect gunshots), automated license plate readers, and enhanced cameras;

WHEREAS, consistent with the City of Commerce City Procurement Policy, the City Manager has waived the formal solicitation process and elected to pursue a sole source procurement for the desired goods and services because the goods and procurement cannot be achieved through the competitive solicitation given the unique goods and services involved (including installation) and unique benefits and synergies provided by the selected vendor. As such, City staff has determined that Flock Group, Inc. provides the best value to the City (“Contractor”); and

WHEREAS, the cost to the City will exceed \$250,000.00 and, pursuant to the City’s procurement policies and the City Manager’s commitment to the City Council, the City Council must approve any procurement in excess of \$250,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

SECTION 1. Findings. The recitals to this resolution are incorporated as findings of the City Council. This resolution is found to be necessary for the preservation of the public health, safety, and welfare and in the public interest.

SECTION 2. Award of Contract. The award of the contract for the Services to the Contractor is hereby approved subject to successful finalization of an appropriate contract on terms acceptable to the City Manager. This resolution shall not be deemed to grant any right or interest in the award of a contract to Flock Group, Inc. All rights and interests shall be defined exclusively by the terms and conditions set forth in the written contract.

SECTION 3. Authorization to Negotiate. The City Manager is hereby authorized to negotiate and finalize the details of a contract with the Contractor, including final pricing and payment terms, consistent with the services agreement with the Contractor.

SECTION 4. Execution and Attestation. Upon successful finalization of the contract and approval as to form by the City Attorney, the City Manager is hereby authorized to execute, and the City Clerk to attest, the contract on behalf of the City.

RESOLVED AND PASSED THIS 4TH DAY OF DECEMBER 2023.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk