

EC-20-146



# CITY OF ALBUQUERQUE

Albuquerque, New Mexico

Office of the Mayor

Mayor Timothy M. Keller

## INTER-OFFICE MEMORANDUM

August 20, 2020

**TO:** Pat Davis, President, City Council

**FROM:** Timothy M. Keller, Mayor

A handwritten signature in black ink, appearing to be 'TK', is written next to the name Timothy M. Keller.

**SUBJECT:** Sole Source Purchase of Digital Radiography Machines and Required Accessories.

The City of Albuquerque's Department of Finance, Purchasing Division, in conjunction with the Albuquerque Police Department (APD) issued the Sole Source determination for the purchase of two (2) SmartRay Vision (SRV) model 3X machines and two (2) Golden Engineering model numbers XR 150 and two (2) XRS3 X-ray generators required for these machines from Federal Resources Supply Company for \$156,864 pursuant to the Public Purchasing Ordinance 5-5-32.


The Sole Source determination was posted to both the City's transparency website on June 22, 2020 and on the State of New Mexico Purchasing Division's transparency website on June 23, 2020 for 30 days. There were no protests to either public posting.

The Purchasing Division and APD are recommending the award of the Sole Source purchase of two (2) SmartRay Vision (SRV) model 3X machines and two (2) Golden Engineering model numbers XR 150 and two (2) XRS3 X-ray generators from Federal Resource Supply Company.

I concur with this recommendation.

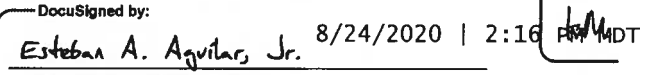
Sole Source Purchase of Digital Radiography Machines and Required Accessories.

Approved:

  
\_\_\_\_\_  
Sarita Nair Date  
Chief Administrative Officer


9/8/21

Approved as to Legal Form:

  
\_\_\_\_\_  
Esteban A. Aguilar, Jr. Date  
City Attorney

8/24/2020 | 2:16 PM MDT

Recommended:

  
\_\_\_\_\_  
Michael Geier Date  
Police Chief

8/21/2020 | 9:41 AM MDT

## Cover Analysis

### **1. What is it?**

The Albuquerque Police Department (APD) seeks to procure multiple SmartRay Vision (SRV) model 3X machines and Golden Engineering model numbers XR 150 and XRS3 X-ray generators to match current systems that the department currently has. APD bomb technicians trained and certified to use this particular system and have done so on dozens of occasions.

### **2. What will this piece of legislation do?**

The SRV system it will allow integration with other squads in the state as they already have them as well. There are only six teams in the state and APD frequently works together on large scale operations, such as events in Santa Fe for example. It is beneficial for any bomb tech from any team to know how to operate the equipment. This is why there is only one bomb school in the country, so we are all trained the same.

### **3. Why is this project needed?**

All bomb squads have the same bomb suits so we know how to don and doff any bomb technician in one, we all have at least one of the same robots (Remotec F6) so that any tech from any team can integrate seamlessly into another team and operate that equipment. Finally, it is not a safe practice to have two different tools that do the same job and have all members trained on both, then expect a bomb tech in a bomb suit under immense physical and emotional stress in a life or death situation to try to remember the details of which system he happens to be using at that time.

### **4. How much will it cost and what is the funding source?**

The cost is \$156,864.00. \$137,500 is Grant Funded and the remaining amount of \$19,364 will be paid for by the City's General fund.

### **5. Is there a revenue source associated with this Plan? If so, what level of income is projected?**

No revenue source is associated with this plan.

**FISCAL IMPACT ANALYSIS**

TITLE: **Portable Xray System - APD Bomb Unit** R: O:  
 FUND: 265  
 DEPT: Police

- No measurable fiscal impact is anticipated, i.e., no impact on fund balance over and above existing appropriations.
- (If Applicable) The estimated fiscal impact (defined as impact over and above existing appropriations) of this legislation is as follows:

|                                     | Fiscal Years         |             |             |                   |
|-------------------------------------|----------------------|-------------|-------------|-------------------|
|                                     | 2021                 | 2022        | 2023        | Total             |
| Base Salary/Wages                   |                      |             |             | -                 |
| Fringe Benefits at                  |                      |             |             | -                 |
| Subtotal Personnel                  | -                    | -           | -           | -                 |
| Operating Expenses                  | \$ 156,864.00        | -           | -           | 156,864           |
| Property                            |                      |             |             | -                 |
| Indirect Costs                      | \$ -                 | -           | -           | -                 |
| <b>Total Expenses</b>               | <b>\$ 156,864.00</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ 156,864</b> |
| [ ] Estimated revenues not affected |                      |             |             |                   |
| [x] Estimated revenue impact        |                      |             |             |                   |
| Revenue from program                |                      |             |             | 0                 |
| Amount of Grant                     | \$ 137,500.00        | -           | -           |                   |
| City Cash Match                     | \$ 19,364.00         |             |             |                   |
| City Inkind Match                   |                      |             |             |                   |
| City IDOH                           | \$ -                 | -           | -           | -                 |
| <b>Total Revenue</b>                | <b>\$ 156,864.00</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b>       |

These estimates do not include any adjustment for inflation.

\* Range if not easily quantifiable.

Number of Positions created

**COMMENTS: City of Albuquerque Police Department received a grant to purchase a Portable Xray System. Total cost of equipment is 156,864. The grant will cover 137,500 and APD's general fund will contribute 19,364 to the purchase.**

**COMMENTS ON NON-MONETARY IMPACTS TO COMMUNITY/CITY GOVERNMENT:**

PREPARED BY: *Aubrey D. Thompson* 8/13/2020 | 8:15 AM PDT  
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 FISCAL ANALYST

APPROVED: *Mike Gier* 8/13/2020 | 11:28 AM MDT  
 584E5EE1C73D459  
 DIRECTOR (date)

REVIEWED BY: *Emma Romero* 8/13/2020 | 2:11 PM MDT  
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 EXECUTIVE BUDGET ANALYST

DocuSigned by: *Christine Boerner* 8/13/2020 | 2:34 PM MDT  
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 BUDGET OFFICER (date)

DocuSigned by: *Christine Boerner* 8/13/2020 | 8:34 AM MDT  
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 CITY ECONOMIST

## SOLE SOURCE JUSTIFICATION

**The Public Purchases Ordinance 5-5-32 provides that a contract may be awarded without a competitive solicitation regardless of the estimated cost when the City Purchasing Officer makes a determination, after conducting a good faith review of available sources and consulting the user department that there is only one source for the required goods, services, or construction. The City Purchasing Officer or designee shall conduct negotiations, as appropriate, as to price, delivery and quantity in order to obtain the price most advantageous to the city.**

**The end user department must justify each sole source procurement request by completing this form, attaching it to a requisition, and submitting the package to the Purchasing Division. The Chief Procurement Officer will review the submission and make the final determination as to whether a sole source purchase is justified under the Public Purchases Ordinance.**

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- 1. Describe the goods, services or construction requested. Explain why the particular goods, services or construction requested is the only item that can satisfy your requirements, and explain why alternatives are unacceptable. Be specific with regard to specifications, features, characteristics, requirements, capabilities, and compatibility. Describe what steps have been undertaken to make the determination that the item identified is the only item that can satisfy your requirements.**

The Albuquerque Police Department (APD) seeks to procure Two (2) SmartRay Vision (SRV) model 3X machines and Two (2) Golden Engineering model numbers XR 150 and Two (2) XRS3 X-ray generators to match current digital radiography systems the department currently utilizes. APD bomb technicians are trained to use this particular system in emergency situations. Below are dates of trainings that APD has attended and completed using the SRV system:

- February 14th, 2019 full day training with the systems from, Federal Resources. This was the day we tested in-depth the compatibility of the systems with all our existing equipment.
- October 3rd, 2019 another full day of training from Sandia National Laboratories then we were loaned two systems for use during 2019 Balloon Fiesta. Deployed approximately 10 times during the event, plus trained daily with them throughout.
- November 14th, 2019 received the two systems.

All members of the team are proficient with the system and are able to use this equipment in emergency situations.

Because APD currently owns two of these systems we are better equipped to handle system failure or repairs in an emergency situation since all existing parts, batteries, chargers, cables, radios, etc. are interchangeable with the current systems APD currently owns. Keeping the machines functioning properly ensures the safety of the officers as well as the public. The robotic adapter/deployment stand included in this package is also compatible with the existing two systems currently owned.

Approving the purchase of the SRV system also allows integration with other bomb squads in the state as they utilize the same system as well. There are only six teams in the state and APD frequently works together on large scale operations. It is beneficial for any bomb tech from any team to know how to operate the equipment. This is why there is only one bomb school in the country, so we are all trained the same. All bomb squads have the same bomb suits so we know how to don and doff any bomb technician in one, we all have the same robot (Remotec F6) so that any tech from any team can integrate seamlessly into another team and operate that equipment. Finally, it is a safe practice to have only one system and have all members fully trained on the same unit because, a bomb tech in a bomb suit, under immense physical and emotional stress in a life or death situation needs to be confident in the practice he/she is using rather than trying to remember the details of different systems at that time.

- 2. Explain why the vendor/supplier or manufacturer is the only available source from which to obtain this product or service and describe the efforts that were made to verify and confirm whether or not, only one source for the product or service exists. Departments must obtain a letter from the manufacturer to confirm any claims made by distributors or exclusive distributorships regarding the product or service if that is cited as a reason for the sole**

**source classification. A U.S. registered patent number with date of the patent expiration or exclusive ownership of a software license may suffice.**

APD has had the opportunity to use several different systems in trainings, demonstrations, and capability exercises and found none to be compatible with our robot radios. The wireless technology did not work. This is why APD purchased two SRV's previously. We demo'ed two of them during the Albuquerque Balloon Fiesta and they worked perfectly. We had a full day demonstration where we utilized the radio systems at distance, through brick walls, and in conjunction with our robots and there were no issues. The FBI has a different system (Scanna) that we have used on several occasions and it requires higher X-ray pulses to achieve a picture. APD found, the picture to be lesser quality with poor resolution with limited wireless capability in comparison to the SRV systems we possess. A new system has recently come on the market (LOGOS) but none of the six squads in the state have utilized it or been trained on it, therefore the "track record" in New Mexico is non-existent. APD requests a sole source procurement for Golden Engineering model numbers XR 150 and XRS3 and the SmartRay Vision (SRV) 3X, not a specific vendor, however Federal Resources is the only authorized dealer permitted by the manufacturer to sell these systems to customers in New Mexico (see attached letter from manufacturer).

- 3. Will this purchase obligate the City to a particular vendor for future purchases (either in terms of maintenance that only this vendor will be able to perform and/or if the City purchases the goods or services, will more "like" items in the future be needed to match the original purchase)?**

The City will have but two options, the manufacture and an authorized dealer (s) to procure parts and service.

- 4. Explain why the price for the goods or services is considered to be fair and reasonable?**

The Department has done extensive research and assessments on different systems, and although some are less expensive, they do not have the same capabilities the SRV system as described above. APD has already invested substantial time and money into training personnel on this equipment and therefore finds the price to be acceptable. If another system was procured, additional costs in new trainings and a considerable amount of personnel time and resources would need to occur causing the actual cost of the machine to APD to be more


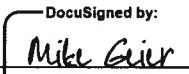
- 5. Explain the consequence(s) to the City, including a dollar estimate of the financial impact, if the Chief Procurement Officer determines this purchase sole source procurement is not approved.**

The request for this item will be paid for by Grant funds. If this Sole Source is not approved the City will not have a direct financial impact but the City will lose access to critical equipment that is needed for ongoing demand and services required by the Bomb Squad.

- 6. If federal funds will be involved in this procurement, please state and identify the federal agency.**

State Homeland Security Grant Program (SHSGP)

**By signing below, I certify that the above statements herein are true and correct, and that no other material fact or consideration offered or given not set forth herein has influenced this request for a sole source procurement determination.**

|               |   |   |                               |
|---------------|---|---|-------------------------------|
| Submitted By: | Mike Geier  |  | Albuquerque Police Department |
|               | Department Director Printed Name  |   | Department                    |
|               |  |   | 6/21/2020   10:51 AM MDT      |
|               | Authorized Signature  |   | Date                          |
|               |   |   | Phone Number                  |

**PURCHASING USE ONLY**

Senior Buyer: DocuSigned by: Estevan Vargas Date: 6/21/2020 | 9:58 AM PDT  
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**1. A good faith review of available sources has been undertaken (State results of review)**

It has been confirmed that the equipment required by the department can be provided by one manufacturer.

**2. Describe negotiation efforts to obtain the price most advantageous to the City.**

The department will seek quotes from available suppliers of the models specified herein.

Approved By: Jennifer Bradley Date: \_\_\_\_\_

DocuSigned by: Jennifer Bradley DS KS Date: 6/22/2020 | 8:50 AM PDT  
Chief Procurement Officer



March 16, 2020

To whom it may concern:

This letter has been written to confirm that SmartRayVision x-ray system is a sole source product. The hardware kit and application software is sold and distributed exclusively by SharpLogixx, LLC.

SharpLogixx, LLC maintains all copyright privileges for their products and these products must be purchased directly from the company or Federal Resources Supply Company. They are the authorized dealer to represent these products and no division of SharpLogixx, LLC has any right of sub-license to make a similar or competing product.

SharpLogixx, LLC warrants that no other items or products are available for purchase that would serve the same purpose or function and there is only one price for the above-named product because of exclusive distribution and marketing rights.

If you desire additional information, please contact me at 817-845-3463, or by e-mail, [joelriling@smartrayvision.com](mailto:joelriling@smartrayvision.com).

Sincerely,

Joel E. Riling

CDR USN Ret.

VP Government Programs

Cell: 817 845-3463

[joel.riling@smartrayvision.com](mailto:joel.riling@smartrayvision.com)



**Vargas, Estevan F.**

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**From:** GSD.SPInfo@state.nm.us  
**Sent:** Thursday, July 23, 2020 12:01 AM  
**To:** Vargas, Estevan F.  
**Subject:** Sole Source #00-M0126-20-CP183 - 30 Days

Your Sole Source #00-M0126-20-CP183 notice of intent to award has been posted for 30 days **without protest**.

Its "Pending" status has changed to "No Protest."

Passing the 30-day posting period does *not* mean your contractor can begin work. It *only* means the procurement method has been approved.

**LEGALLY, THE CONTRACT STILL NEEDS TO BE PUT IN PLACE WITH THE PROPER PROCEDURES *BEFORE* ANY CONTRACTOR CAN START WORK. IF YOUR CONTRACT IS FOR PROFESSIONAL SERVICES, FOLLOW GSD/CRB PROCEDURES. IF YOU ARE A LOCAL PUBLIC BODY, FOLLOW YOUR OWN PROCEDURES.**

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GSD/SPD State Purchasing Division

[GSD.SPInfo@state.nm.us](mailto:GSD.SPInfo@state.nm.us)

\$ASSIGNEDNAMES\$

\$ASSIGNEDEMAIL\$

=====  
This message has been analyzed by Deep Discovery Email Inspector.



## Official Quotation

Federal Resources Minimum Order Is \$250

 Federal Resources Supply Company  
 235-G Log Canoe Circle Stevensville, MD 21666

|           |               |
|-----------|---------------|
| DATE      | 7/8/2020      |
| QUOTE NO. | 20202801KL002 |

| NAME              | COMPANY                   | SHIP TO ADDRESS                           | BILL TO ADDRESS (if different) |                     |
|-------------------|---------------------------|---|--------------------------------|---------------------|
| Sgt. Zac Cancilla | Albuquerque NM Bomb Squad | 400 Wyoming Blvd. NE Albuquerque NM 87123 |                                |                     |
| CONTRACT VEHICLE  | TAX ID #                  | SALES PERSON                              | TERMS                          | QUOTE VALID         |
|                   | 52-2133636                | Karl Lewis - First Responder Solutions    | NET30                          | 60                  |
| DUNS #            | CAGE CODE                 | EMAIL                                     | FOB                            | Delivery ARO (days) |
| 80-664-7801       | 1Q3Z9                     | zcancilla@cabq.gov                        |                                | 45                  |

| Line                          | GSA Sale?   | Quantity | Unit Of Measure | Part Number | Description  | Unit Price  | Line Total          |
|-------------------------------|-------------|----------|-----------------|-------------|--|-------------|---------------------|
| 1                             | Open Market | 2        |                 | P1417V3X    | SRV X1417® Extreme 3x: Complete Portable X-Ray System including 14"x17" HD Narrow Margin DR Imager, Mil-Grade Controller, Advanced Long Range Wireless Communications, Wired Communications, Accessories, and SmartRayVision EOD Software packed in a custom ruggedized shipping case. Includes 2-year system warranty and 1-year battery warranty | \$63,967.00 | \$127,934.00        |
| 2                             | Open Market | 1        |                 | SRVROBOT    | SRV Quickstand with Robot Adapter  | \$2,750.00  | \$2,750.00          |
| 3                             | Open Market | 2        |                 | 1111130     | Golden Engineering-XR150 12V X-Ray Kit 110V: Cable & Case  | \$5,797.00  | \$11,594.00         |
| 4                             | Open Market | 2        |                 | 1320230     | Golden Engineering XRS3 X-Ray (80 Char) 20V Kit 110V: Cable & Case   | \$7,293.00  | \$14,586.00         |
| 5                             |             |          |                 |             |  |             |                     |
| 100                           |             |          |                 |             |  |             |                     |
| SUBTOTAL                      |             |          |                 |             |  |             | \$156,864.00        |
| SALES Tax (if applicable)     |             |          |                 |             |  | 0.00%       | \$0.00              |
| FREIGHT                       |             |          |                 |             |  |             | \$0.00              |
| CONTRACT FEES (if applicable) |             |          |                 |             |  | 0.00%       | \$0.00              |
| <b>TOTAL</b>                  |             |          |                 |             |  |             | <b>\$156,864.00</b> |

 PLEASE REFERENCE THE QUOTE NUMBER WHEN ORDERING  
 THANK YOU FOR YOUR BUSINESS

[FR Products terms and conditions can be found at this link: FR Products Terms and Conditions](#)
[FR Services terms and conditions can be found at this link: FR Services Terms and Conditions](#)

Acceptance of the quote assumes acceptance of the terms and conditions.