

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE INTERIM CITY MANAGER, WAIVING BY 5/7THS VOTE, THE FORMAL COMPETITIVE BIDDING REQUIREMENT, PURSUANT TO SECTION 2-367 OF THE CITY CODE, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY, AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AN AGREEMENT FOR THE PURCHASE OF SIG SAUER SERVICE FIREARMS AND RELATED ACCESSORIES FROM DANA SAFETY SUPPLY, INC., FOR THE PURPOSE OF STANDARDIZING SIG SAUER BRAND WEAPONS FOR THE POLICE DEPARTMENT, IN AN AMOUNT NOT TO EXCEED THE ANNUAL AMOUNT BUDGETED THROUGH THE CITY'S BUDGETING PROCESS, AND FOR A TERM NOT TO EXCEED FIVE (5) YEARS; AND FURTHER AUTHORIZING THE TRADE-IN OF THE POLICE DEPARTMENT'S CURRENT SERVICE FIREARMS TO DANA SAFETY SUPPLY, INC., WHEREIN THE TOTAL REPLACEMENT COST SHALL NOT EXCEED \$400,000.

WHEREAS, the City of Miami Beach Police Department (the "Police Department") currently has 550 Smith and Wesson M&P .40 caliber service firearms in use by its police officers; and

WHEREAS, the Police Department and its officers have utilized the Smith and Wesson M&P .40 caliber weapons since 2011; and

WHEREAS, such Smith and Wesson M&P firearms are at the end of their service life, which shall require additional costs totaling approximately \$117,315.00 (550 firearms at \$213.30/each) to replace most of each individual firearm's internal mechanical parts; and

WHEREAS, the 9mm round (projectile/bullet) has become the national standard for police departments and Federal agencies since 2014, and has proven to be more accurate than .40 caliber rounds due to less recoil of the firearm upon discharge; and

WHEREAS, the 9mm rounds are also less expensive than .40 caliber rounds and, in addition, firearms which utilize 9mm rounds typically require less maintenance costs than those firearms that utilize .40 caliber rounds; and

WHEREAS, the Police Department has tested and evaluated the Sig Sauer P320 and P365 firearms through stress tests, shooting courses and fit tests; and

WHEREAS, the Police Department has also researched the extensive testing, findings and results of the Department of Defense, which ultimately purchased 421,000 Sig Sauer P320 firearms for various armed service branches of the United States government; and

WHEREAS, the Sig Sauer P320 firearm provides a modular system that allows for the proper fitting of such firearm to each individual police officer, which provides enhanced tactical necessity; and

WHEREAS, Sig Sauer weapons have been manufactured in the United States since 1985; and

WHEREAS, Sig Sauer sells its firearms directly to the public, however, Dana Safety Supply, Inc. is the only authorized major warehousing distributor of Sig Sauer firearms in the State of Florida; and

WHEREAS, the Police Department has obtained price quotations from Sig Sauer and Dana Safety Supply, Inc. for the purchase of Sig Sauer P320 service weapons; and

WHEREAS, those price quotations provided to the Police Department by Sig Sauer and Dana Safety Supply, Inc. are nearly identical, however, Dana Safety Supply, Inc. is a local vendor (with locations throughout the country, including Pompano Beach, Florida) that can provide faster response time, fair trade-in value for the Police Department's current Smith and Wesson M&P .40 caliber service weapons, and can also be "on-site" to assist the Police Department and its officers in the transition to the new Sig Sauer firearms; and

WHEREAS, since Dana Safety Supply, Inc. is located locally in South Florida, Dana Safety Supply, Inc. can readily accept (and provide) trade-in value for the 550 Smith and Wesson M&P .40 caliber firearms presently utilized by the Police Department without the risk (and associated cost) of shipping such firearms to another State (as Federal law mandates that firearms shall only be shipped via next day service with United Parcel Service); and

WHEREAS, based upon the foregoing, the City Administration believes it to be in the City's best interest to purchase such Sig Sauer service weapons for its Police Department from Dana Safety Supply, Inc.; and

WHEREAS, the City Administration requests that the Mayor and City Commission authorize the City Manager and City Attorney to negotiate and execute an agreement with Dana Safety Supply, Inc., with a term that shall not exceed five (5) years, for the purchase of Sig Sauer service weapons and related accessories for the Police Department, in the total amount not to exceed \$400,000 which is within the annual amount approved through the City's budgeting process.

NOW, THEREFORE BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH FLORIDA, that the Mayor and City Commission hereby accept the recommendation of the Interim City Manager and waive, by 5/7ths vote, the formal competitive bidding requirement, pursuant to Section 2-367 of the City Code, finding such waiver to be in the best interest of the City, and authorizing the City Manager and City Attorney to negotiate an agreement for the purchase of Sig Sauer service firearms and related accessories from Dana Safety Supply, Inc., for the purpose of standardizing Sig Sauer brand weapons for the Police Department, in an amount not to exceed the annual amount budgeted through the City's budgeting process, and for a term not to exceed five (5) years; and further authorizing the trade-in of the Police Department's current service firearms to Dana Safety Supply, Inc., wherein the total replacement cost shall not exceed \$400,000.

PASSED and ADOPTED this ___ day of _____, 2021.

ATTEST:

Rafael E. Granado, City Clerk

Dan Gelber, Mayor

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

City Attorney **MAF** 4-8-21
Date