

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AUTHORIZING A PURCHASE AGREEMENT WITH VIRTRA FOR THE PURCHASE OF A DE-ESCALATION TRAINING SIMULATOR WITHOUT ADVERTISED COMPETITIVE BIDDING.

WHEREAS, City Charter section 1208 requires advertised competitive bidding for equipment involving the expenditure of City monies in excess of \$149,000, unless Council determines the goods to be supplied can only be provided by one source and the purchase is authorized by resolution of Council containing a declaration of the facts constituting the sole source; and

WHEREAS, the Fresno Police Department (FPD) has been awarded grant funds to purchase a de-escalation simulator that will replace the current InVeris system to be used for De-Escalation training and a variety of other situations – including active shooter and mental illness; and

WHEREAS, the existing InVeris simulator lacks capabilities found in modern VirTra simulators; and

WHEREAS, the existing InVeris system utilizes virtual reality and does not allow for “seamless” scene branching and does not replicate real-life situations and doesn’t allow the trainee access to more than two force options; and

WHEREAS, the VirTra helps prepare law enforcement officers for real-life incidents so they and the communities they serve can remain safe. Each real-world judgmental use of force training simulator has surreal scenarios that provide an in-depth look into human performance. The demands on law enforcement to make critical decisions in tense, uncertain and rapidly evolving situations require that the human performance aspect of cognitive neuroscience and human physiology are taken into account as part of the police training methodology. Training scenarios are filmed in superior quality and contain the full fidelity of real actors – thus eliminating “video game”

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: P B

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training. The training scenarios are designed to teach critical concepts, such as: officer presence, communication skills, verbal and non-verbal cues, de-escalation, less-lethal, use of force and more. VirTra's extensive branching options further increase the realism by allowing scenarios to unfold based on instructor, trainee or team's decisions; and

WHEREAS, due to restricted data rights and patents VirTra is the only vendor able to upgrade the existing systems and integrate into the existing products; and

WHEREAS, the Fresno Police Department Administration defines this action as a sole source non-competitive procurement; and

WHEREAS, FPD has determined VirTra is uniquely capable to provide the proprietary software and hardware through restricted data rights. An award to any other source will result in substantial duplication of cost which cannot be recovered through competition; and

WHEREAS, the FPD recommends this purchase based on the particular needs of the City of Fresno; and

WHEREAS, the cost of the new VirTra system, services, and components are \$148,429.42. This cost includes local sales tax of 8.35%; and

WHEREAS, the City Manager has approved the proposed sole source purchase and the Fresno Police Department now seeks Council approval of such purchase.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

The Council has received and considered the report and recommendations of City Staff.

1. Due to restricted data rights and patents, VirTra is the only vendor able to provide the de-escalation simulator and replace the existing simulator provided by InVeris.
2. An award to any other source will result in substantial duplication of cost which cannot be recovered through competition.

3. Staff proposes to award a product purchase contract to VirTra in the amount of \$148,429.42.

4. Council hereby finds it is appropriate and necessary for the City to dispense with the competitive bidding requirement in this instance and to authorize the Purchasing Manager to purchase the VirTra simulator system, software, and related components under the sole source exception.

5. The Chief of Police or designee is hereby authorized to purchase the VirTra simulator system, software, and related components from VirTra.

6. This resolution shall be effective upon final approval.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____ 2022.

AYES :
NOES :
ABSENT :
ABSTAIN :

TODD STERMER, CMC
City Clerk

By: _____
Date

APPROVED AS TO FORM:
RINA GONZALES
Interim City Attorney

By: _____
Pauline Brickey Date
Deputy City Attorney