



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: BL2020-554, **Version:** 1

An ordinance approving Amendment 2 to Contract #455783 for the provision of body camera equipment between WatchGuard, Inc. and the Metropolitan Government of Nashville and Davidson County.

WHEREAS, the Metropolitan Government entered into Contract #455783 with WatchGuard, Inc. on August 29, 2019 for the purpose of providing body camera equipment to the Metropolitan Nashville Police Department; and,

WHEREAS, the Contract commenced on August 29, 2019 and currently has a termination date of August 29, 2024; and,

WHEREAS, Amendment 2 to the contract extends the term of the agreement for sixty months from the date the amendment is filed in the office of the Metropolitan Clerk; and,

WHEREAS, Section 4.12.160 of the Metropolitan Code limits the term of contracts for supplies to sixty (60) months, unless otherwise authorized by the Metropolitan Council; and,

WHEREAS, Section 5.04.020 of the Metropolitan Code requires Council approval for the lease of equipment; and,

WHEREAS, Local governments are authorized to enter into lease-purchase agreements for tangible property pursuant to Tenn. Code Ann. **§ 7-51-902**; and,

WHEREAS, Amendment 2 will provide for Equipment-Lease Purchase Agreement #24876 to be executed and classified as Exhibit H to the Contract; and,

WHEREAS, Equipment-Lease Purchase Agreement #24876 will be entered with Motorola Solutions, Inc., which owns WatchGuard Inc.; and,

WHEREAS, approval of Amendment 2 will benefit the citizens of Nashville and Davidson County because Equipment-Lease Purchase Agreement #24876 allows for the equipment to be provided immediately to the Metropolitan Government, with payments to be made starting in 2023.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Amendment 2 to Contract #455783 between WatchGuard, Inc. and the Metropolitan Government of Nashville and Davidson County, which extends the term of the Contract and provides for Equipment-Lease Purchase Agreement #24876 to be executed and classified as Exhibit H to the Contract, a copy of which is attached hereto and incorporated herein, is hereby approved.

Section 2. This ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance approves an extension of the contract between Metro and Watchguard, Inc. for the lease of body camera equipment used by the Metro Nashville Police Department (MNPd). Metro entered into the initial contract on August 29, 2019 for a term of 60 months. The agreement is for body worn cameras for all police officers, in-car camera systems for all patrol vehicles, a video evidence management system, video redaction software, and training.

This ordinance extends the contract for a term 60 months commencing upon approval of this ordinance and filing of the executed agreement with the Metro Clerk. This ordinance also approves an equipment lease-purchase agreement with Motorola Solutions Inc., which acquired Watchguard in July 2019.

Under the terms of the agreement, Metro will be responsible for all loss of or damage to the equipment while Metro is leasing it, and MNPd cannot alter the equipment without Motorola's consent. Metro can terminate at any time for lack of funding, but if it does so, all equipment must be returned to Motorola. Metro has the option to purchase the equipment on any Lease Payment date by paying the lease payment plus the balance due. The first lease payment will be due on 1/1/23. A schedule of payments is as follows:

Date	Lease Payment	Balance
1/1/2021		\$ 8,938,576
1/1/2023	\$ 2,234,644	\$ 6,703,932
1/1/2024	\$ 2,234,644	\$ 4,469,288
1/1/2025	\$ 2,234,644	\$ 2,234,644
1/1/2026	\$ 2,234,644	\$ 0
Grand Total	\$ 8,938,576	

An ordinance for this agreement is required for two reasons. First, Metro cannot enter into contracts exceeding 60 months, either initially or by virtue of amendments, renewals or extensions thereof, without Council approval pursuant to Section 4.12.160 of the Metro Code. Second, Section 5.04.020 of the Metropolitan Code requires Council approval for the lease of equipment.