



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2023-113

Type: Bill (Ordinance) **Status:** Failed

File created: 11/9/2023 **In control:** Metropolitan Council

On agenda: 12/5/2023 **Final action:** 12/5/2023

Title: An ordinance approving Amendment Number 1 to Contract number 6488663 between the Metropolitan Government of Nashville and Davidson County ("Metro") and Axon Enterprise, Inc., to add an optional renewal term of up to 120 months and to increase the value of the contract.

Sponsors: Delishia Porterfield, Erin Evans, Courtney Johnston, Jordan Huffman

Indexes:

Code sections:

Attachments: 1. Contract Amendment 1 Exhibit, 2. Substitute BL2023-113, 3. Amendment No. 1 to BL2023-113

| Date | Ver. | Action By | Action | Result |
|------------|------|------------------------------------|----------------------------|--------|
| 12/5/2023 | 1 | Metropolitan Council | failed | Fail |
| 12/5/2023 | 1 | Public Health and Safety Committee | disapproved | |
| 12/4/2023 | 1 | Budget and Finance Committee | approved with a substitute | |
| 11/21/2023 | 1 | Metropolitan Council | passed on first reading | |
| 11/14/2023 | 1 | Metropolitan Council | filed | |

An ordinance approving Amendment Number 1 to Contract number 6488663 between the Metropolitan Government of Nashville and Davidson County ("Metro") and Axon Enterprise, Inc., to add an optional renewal term of up to 120 months and to increase the value of the contract.

WHEREAS, Metro previously entered a sole source contract, contract number 6488663 approved by Resolution RS 2022-1365, with Axon Enterprise, Inc., to provide tasers, taser cartridges and accessories for the Metropolitan Nashville Police Department; and,

WHEREAS, the parties desire to amend the contract to add an optional 5-year renewal term, and increase the overall value, among other things; and,

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

WHEREAS, it is essential that Metro Nashville Police Department has tasers and taser accessories for the safety of MNPD Officers and Metro Citizens; and,

WHEREAS, it is in the best interest of the Metropolitan Nashville Police Department to have the option to extend the term of contract number 6488663.

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

Section 1. That Amendment Number 1 to contract number 6488663 between Axon Enterprises, Inc. and the Metropolitan Government of Nashville and Davidson County, a copy of which is attached hereto and incorporated herein, is hereby approved, and the Metropolitan Mayor is authorized to execute same.

Section 2. That further amendments to contract number 6488663 shall be approved by resolution of the Metropolitan Council receiving at least twenty-one (21) affirmative votes.

Section 3. This ordinance shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance approves the First Amendment to a sole source contract between the Metropolitan Government and Axon Enterprise, Inc. ("Axon"), originally approved by Resolution No. RS2022-1365. Pursuant to the terms of this agreement, Axon provides tasers, taser cartridges and accessories for the Metropolitan Nashville Police Department.

This amendment extends the term of the agreement from 60 months to 60 months with an optional renewal term of 60 months, for a potential total term of 120 months. Because the amended contract allows for a total term in excess of 60 months, Metropolitan Code of Laws Section 4.12.160.B requires Council approval.

In addition to the option to extend the term, the total estimated contract value would be increased by \$18,305,200, from \$6,500,000 to \$24,805,200 because the amendment replaces Exhibit A-Pricing to reflect new line items for additional taser related products and services such as training related to the new TASER 10. The Amendment also adds a clause with state-required language whereby Axon agrees it will not engage in a boycott of Israel, adds an acknowledgement that TASER 10 is classified as a firearm, and amends Exhibit C-Affidavits to obtain a necessary signature.

The ordinance further provides that future amendments to this contract may be approved by a resolution of Council receiving at least 21 affirmative votes.

Fiscal Note: This sole source contract (6488663) amendment increases the contract life value by \$18,305,200 to a new estimated contract life value of \$24,805,200, to be paid from Fund 10101, Business Unit 31121251.