



CITY OF KIRKLAND

Department of Finance & Administration

123 Fifth Avenue, Kirkland, WA 98033 425.587.3100

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Jay Gewin, Purchasing Agent

Date: May 18, 2021

Subject: REPORT ON PROCUREMENT ACTIVITIES FOR COUNCIL MEETING OF June 1, 2021.

This report is provided to apprise the Council of recent and upcoming procurement activities where the cost is estimated or known to be in excess of \$50,000. The "Process" column on the table indicates the process being used to determine the award of the contract.

The City's major procurement activities initiated since the last report dated May 6, 2021 are as follows:

	Project/Purchase	Process	Estimate/Price	Status
1.	Police use of force dashboard	Direct Hire*	\$55,580.00	Contract awarded to Police Strategies LLC of Bainbridge Island, WA.
2.	124 th Ave NE Roadway Widening	Sole Source*	\$163,495.00	Contract awarded to Perteet, Inc. of Everett, WA based on Sole Source Agreement with WSDOT

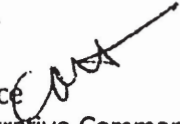
*See attached waiver of the competitive process



CITY OF KIRKLAND
Police Department
11750 NE 118th Street
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MEMORANDUM

To: Kurt Triplett, City Manager

From: Cherie Harris, Chief of Police 
Melissa Petrichor, Administrative Commander

Date: March 5, 2021

Subject: REQUEST FOR WAIVER OF COMPETITIVE BIDDING – POLICE STRATEGIES
Police Force Analysis System and Police Force Analysis Network

RECOMMENDATION:

Staff recommends the waiver of a competitive process for the contractual agreement with Police Strategies, LLC. for a Kirkland Police Force Analysis System (PFAS) and a Kirkland Police Force Analysis Network (PFAN).

BACKGROUND DISCUSSION:

In August 2020, the Kirkland City Council adopted Resolution 5434, approving the framework for Kirkland to become a safe, inclusive, and welcoming community through actions to improve the safety and respect of black people in Kirkland and end structural racism by partnering with those most affected.

Resolution 5434 incorporated the following elements directly related to police use of force:

Section 1 (a) Developing a police "use of force" public dashboard.

Section 2 (b) **Contracting for third party *policy use of force review* and *use of force data evaluation and analysis*.**

SUPPORTING INFORMATION:

After extensive research, Police Strategies, LLC. was identified as the only vendor offering a comprehensive solution that addresses Resolution 5434 elements related to the police use of force data evaluation and analysis and provides an extensive use of force dashboard. The Police Force Analysis System (PFAS) and Police Force Analysis Network (PFAN) provided by Police Strategies offers a thorough review of each use of force case and individual officer report culminating with the development of interactive dashboards for both internal departmental use and public facing.

The Police Strategies' analysis system can provide an exclusive set of deliverables for the following reasons:

- They have developed a partnership with the Department's current use of force software management system, IAPro, to extract all use of force data, including full incident reports with officer narratives.
- They use a proprietary coding process and analytical system that analyses the use of force data using legal algorithms based on Federal Law and the Graham v Connor standard.
- They produce a use of force comparative dashboard using use of force data they have collected from more than ninety agencies.
- They use a standardized approach to analyzing use of force data rather than customizing the process based on the individual department.

It should be noted, Police Strategies does not provide *use of force policy review*, only use of force data evaluation and analysis with a comprehensive dashboard.

COST

The total cost for a three-year professional service contract would be approximately \$55,000. These services include:

- Initial review of the Department's use of force data.
- Development of interactive dashboards for the prior three years (2018 – 2020) for \$35,000.
- Two additional years for \$20,000 (2021 and 2022), including a yearly review and update of existing dashboards.

KMC 3.85.210 provides that the competitive process may be waived by the City Manager when the purchase is legitimately limited to a single source of supply. However, for purchases costing more than \$50,000, the purchase must be reported to the City Council. If this request is approved, this memo and the supporting documents will be included in the next Procurement Activities Report to the Council.

☒ Request Approved

☐ Request Denied


Kurt Triplett, City Manager

3/5/21
Date

Request for Sole Source Consultant Services

Checklist for Submitting a Request for Sole Source Consulting Services

**(Adapted in part from a WSDOT Memorandum:
Request for Consultant Services, A&E Services Project Specific Sole Source)**

The following checklist must be provided with requests to use sole source consultant services, rather than competitive bid procedures, on a project:

Agency: City of Kirkland

Date: February 3, 2021

Project Title: 124th Ave. N.E. Roadway Improvements (North Section) Federal-Aid Number: STPUL-2053(002)

I. Checklist for a Supplement to an Existing Agreement

Description of the Existing Project:

Initials	Date or N/A	Checklist Items for a Supplement to an Existing Agreement
ME	10/02/2017	Date the project was originally advertised.
ME	04/06/2018	Date the original Agreement was executed.
ME	09/07/2019	Completion date of the original Agreement.
ME	N/A	Total dollar amount of the original Agreement \$1,240,788.00.
ME	04/23/2019	Date Supplemental Agreement Number 1 was executed.
ME	12/31/2020	Completion date of Supplemental Agreement Number 1.
ME	N/A	Total dollar amount of Supplemental Agreement Number 1. \$0.00
ME	N/A	Describe the reason(s) for Supplemental Agreement Number 1. No cost time extension.
ME	8/28/2019	Date Supplemental Agreement Number 2 was executed.
ME	12/31/2020	Completion date of Supplemental Agreement Number 2.
ME	N/A	Total dollar amount of Supplemental Agreement Number 2. \$291,877.00
ME	N/A	Describe the reason(s) for Supplemental Agreement Number 2. To provide additional right of way services.

(Note: Using an electronic form of this checklist, provide the above information for each existing Supplemental Agreement, numbering the Supplements sequentially.)

2. Checklist for Both a New Agreement and Supplement to an Existing Agreement

Initials	Date or N/A	Checklist Items – New and Supplements to Agreements
ME	N/A	Describe the proposed project for the Sole Source Agreement: Project will widen 124th Ave NE, from NE 124th Street to NE 116th Street. It includes widening the roadway from three lanes to five lanes; two travel lanes in each direction and a two-way center turn lane. The Project will include the reconstruction of sidewalks, transit stops, extension of bicycle lanes and improved amenities for pedestrians.
ME	N/A	State the specific intended purpose of the Agreement and describe the services and/or deliverables that are needed: (<i>Note: If two or more phases of work are anticipated, describe each phase separately.</i>) Design phase intended purpose is to prepare a bid package for the roadway widening improvements. Elements of the design will include the details and plans for the roadway and intersection improvements, pedestrian amenity improvements, urban design, landscaping, public outreach, right-of-way acquisition, environmental permitting and documentation, and traffic modeling. Optional design support during construction may be included in a separate phase. Design phase deliverables include Project Management and Coordination, Utility Coordination, – Environmental Documentation and Permitting, Community Engagement, 30%-60%-90%-Final-Ad Ready Plans Specs and Estimates. Right of way phase intended purpose is to provide additional right of way services. Deliverables include updated surveying and basemaps, ESA reports, negotiation services, determination of property values in accordance with M36-63 and M26-01, Final Right-of-Way Plans for submittal to WSDOT, Revised True Cost Estimate for submittal to WSDOT
ME	02/15/2021	Date that the sole source consulting services are desired. 02/15/2021 or earlier
ME	N/A	Duration of work/phase 1 of work Duration of design phase is 16 months; Duration of right of way phase is 16 months (<i>Repeat this line for each phase of work, numbering them sequentially.</i>) Describe the funding sources of the project (including participation percentages): Federal aid participation is 86.5% Agency participation is 13.5%
ME	N/A	Provide the estimated cost of the services that will be performed by the sole source consultant": \$193,080.56 (This includes subconsultant services.) The estimated cost for services performed by the prime consultant is \$45,000.00
ME	N/A	Provide the estimated cost of services to be provided by a subconsultant: \$148,080.56
ME	N/A	Describe the work to be performed by a subconsultant: Land surveying, right of way plan preparation, right of way negotiation, geotechnical services
ME	N/A	Provide justification for the use of sole source consultant services (i.e., how it was determined that competitive procurement is not appropriate for this project) by giving an explanation to the items listed below:

Initials	Date or N/A	Checklist Items – New and Supplements to Agreements
		<p>The original agreement and its supporting two supplemental agreements expired due to the Agency's administrative and internal routing process. The Agency and Consultant confirmed and agreed upon a no cost time extension 3 weeks prior to the original agreement expiring with the Consultant signing the supplemental agreement extending the duration for performance. The agency a began its process for execution 3 weeks prior to it expiring but the supplement was officially signed and executed until after the original agreement had already expired.</p> <p>Justification for sole source is because the competitive process has already been completed and the consultant selection was made for STPUL-2053(002) per LAG Chapter 31 for engineering design and right of way services selecting Periteet for the original agreement. The justification for sole source consultant services is a consultant selection was already made for engineering and right of way services for this project. The Consultant has vast project knowledge after all the work that was completed under the original agreement and doing another competitive process would not identify another Consultant with more qualifications in respect to the completion of this project.</p>
ME	N/A	<p>Describe the unique nature of the services and/or the unique qualifications, abilities or expertise of the consultant to meet the agency's needs (e.g., describe how they are highly specialized or one-of-a-kind, include other factors which may be considered, such as what is their past performance, cost effectiveness [learning curve], and /or the follow-up nature of the required services):</p> <p>The unique nature of services provided by the proposed sole source consultant team is that they have already been selected to perform this work related to the project. To date, the consultant has already submitted 90% design plans, specifications, and estimate and helped assist the Agency with right of way negotiations having begun on 14 out of 14 parcels required. They have knowledge of the project having already prepared plans up to 90% and preparing all of the right of way documentation needed thus far. Any other Consultant would take a substantial amount of time to understand the current phase of the project and complete the small amount of work remaining.</p>
ME	N/A	<p>Describe other special circumstances which may be relevant, such as confidential investigations, copyright restrictions or time constraints. If time constraints are applicable, identify when the agency was on notice of the need for the services and the entity that imposed the constraints, explain the authority (if not obvious) of the entity to impose them, and provide the timelines within which the work must be accomplished.</p> <p>N/A</p>
ME	N/A	<p>Describe the availability of consultants in the location required (e.g., if the proposed consultant is the only source available in the geographical area, state the basis for this conclusion and the rationale for limiting the size of the geographical area selected):</p> <p>Does not apply, there are plenty of consultants in the area.</p>
ME	N/A	<p>Disadvantaged Business Enterprise (DBE) goals may apply on a federally funded project. Explain reason(s) for waiving DBE participation goals:</p> <p>Not applicable. Agency is not requesting to waive DBE participation goals.</p>

Agency


Signature of Agency Official

2/8/2021
Date

Recommended Approval



Digitally signed by Mehrdad
Moini, PE
Date: 2021.03.08 10:43:18 -08'00'

Region Local Programs Engineer

Date

Approval



Digitally signed by John Ho,
PE
Date: 2021.03.09 12:01:57
-08'00'

Local Programs

Date