

CITY OF YUBA CITY
STAFF REPORT

Date: September 6, 2022
To: Honorable Mayor & Members of the City Council;
From: Police Department
Presentation By: James Runyen, Police Commander

Summary

Subject: Purchase of Lenco BearCat Armored Vehicle

Recommendation: A. Adopt a Resolution authorizing the purchase of one (1) Lenco Bearcat from Lenco Instustires Inc. of Pittsfield, MA, in the amount of \$326,584.63, with the finding that it is in the best interest of the City

B. Authorize the Finance Director to utilize Fiscal Year 22/23 Budget-approved one-time use funds from account 6610-69401 for the purchase of one (1) Lenco Bearcat in the amount of \$155,000. Authorize the Finance Director to utilize COPS grant funds from account 2180-69401 in the amount of \$171,848.63 for the remaining balance of the purchase price

Fiscal Impact: \$155,000 - Account No. 6610-69410 (Vehicle Replacement Fund)
\$171,848.63 - Account No. 2180-69401 (COPS Grant)

Purpose:

Purchase of one (1) Lenco BearCat armored vehicle for the Yuba City Police Department for use during critical incidents.

Council Priority:

Public Safety

Background:

The Police Department would like to purchase a Lenco Bearcat armored vehicle. The Department currently utilizes a Peace Keeper and MRAP armored vehicle that were obtained through the 10-33 program for obtaining surplus military equipment. The Peace Keeper was made in the 1980's and does not have ballistic protection consistent with current threats officers face. This vehicle is also costly to maintain due to its age and is often unreliable. The MRAP was designed for military operations in the Middle East. While it offers ballistic protection, it has proven costly to maintain, it is militaristic in appearance, and not suitable in many operations due to the size of the vehicle. This vehicle also requires a class B license, which prohibits the majority of staff from driving. Recent legislation, such as AB 481, and consistent scrutiny of the 10-33 program, has placed a spotlight on municipal jurisdictions that are using these pieces of equipment originally designed for the military.

The Lenco Bearcat is specifically designed for police operations, offering the necessary safety features and protection while having a less militaristic appearance. These vehicles can be customized to meet our specific needs. The regional approach to our SWAT team has proven successful, but each agency has the need to maintain their own equipment. This armored vehicle, due to its smaller stature and ease of operation, can be utilized by patrol officers should the need arise for a quick deployment during an emergency. Offering protection and the ability to extract injured officers or citizens in a timely manner during an active shooter or mass casualty incident is a benefit this vehicle would offer as compared to our current vehicles. Additionally, the cost of maintaining one newer vehicle versus two aged vehicles is a significant savings on a yearly basis.

Analysis:

Lenco Industries Inc. is the sole source manufacturer for the Lenco Bearcat or equivalent. A purchase directly from Lenco guarantees the lowest possible price. Lenco is the industry standard in the manufacturing of armored vehicles for municipal law enforcement agencies across the country. Many local jurisdictions use Lenco armored vehicles and an analysis was done by police department staff to assure the quality and purpose meets the needs of our department. Lenco Armored Vehicles customizes each vehicle, allowing each department to choose only options that are needed to save costs.

The longevity of a Lenco Armored Vehicle is 20 years or more, according to the company. The vehicles utilize common parts and engines used in other commercial vehicles produced in the United States. Additionally, Lenco has the ability to refurbish parts of the vehicle, prolonging the lifespan of the vehicle. The current armored vehicles the police department is using are outdated military vehicles that are costly to repair and find parts for. Purchasing a vehicle specifically built for our needs will be a more reliable and practical solution than maintaining two (2) outdated armored vehicles that are costly for repairs and militaristic in appearance.

Fiscal Impact:

The quoted price from Lenco plus sales tax totals \$326,584.63. \$155,000 will be utilized from the vehicle replacement fund (6610-69410) and the remaining balance will be paid out of the COPS Grant (2180-69415) in the amount of \$171,848.63.

Alternatives:

Do not purchase an armored vehicle.

Recommendations:

A. Adopt a Resolution for the purchase of one (1) Lenco Bearcat from Lenco Industries Inc. of Pittsfield, MA, in the amount of \$326,584.63, with the finding that it is in the best interest of the City.

B. Authorize the Finance Director to utilize Fiscal Year 22/23 Budget-approved one-time use funds from account 6610-69401 for the purchase of one (1) Lenco Bearcat in the amount of \$155,000. Authorize the Finance Director to utilize COPS grant funds from account 2180-69401 in the amount of \$171,848.63 for the remaining balance of the purchase price.

Attachments:

1. Attachment A Bearcat resolution
2. Attachment B Bearcat Quote
3. Attachment C Bearcat Sole Source

Prepared By:
Jim Runyen
Police Commander

Submitted By:
Diana Langley
City Manager

ATTACHMENT A

RESOLUTION NO. _2022-861_

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING THE PURCHASE OF A Lenco BEARCAT ARMORED
VEHICLE FROM Lenco INDUSTRIES INC. FOR THE YUBA CITY POLICE
DEPARTMENT**

WHEREAS, the Yuba City Police Department currently utilizes armored vehicles from prior military use through the 10-33 program; and

WHEREAS, the purchase of a Lenco Bearcat would meet the specific needs for the police department, be less costly in repair, and be less militaristic in appearance; and

WHEREAS, the Lenco Bearcat is used by neighboring agencies as the top choice in armored vehicles, meeting specific mission demands for the Yuba City Police Department in a product already familiar to our agency; and

WHEREAS, Lenco Industries Inc. is the sole manufacturer of Lenco Bearcats and the City has met the requirements to sole source the purchase pursuant to Public Contract Code section 3400(c) and City Purchasing Policies section 9-3; and

WHEREAS, budgeted funds are currently set aside in budget year 22/23 in the vehicle replacement fund for \$155,000 and available COPS grant funds of \$171,848.63; and

WHEREAS, the Yuba City Council authorizes the sole source purchase of a Lenco Bearcat from Lenco Industries Inc. for the Yuba City Police Department in the amount of \$326,848.63.

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

1. The City Council finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.
2. The City finds that a sole source award is appropriate on grounds that Lenco Industries Inc. is the sole manufacturer of a Lenco Bearcat. A purchase directly from the manufacturer is a guaranteed low cost involving no third-party vendors.
3. The City Council of Yuba City hereby authorizes the purchase of one (1) Lenco Bearcat identified in Attachment A in the amount of \$326,484.63.
4. This resolution shall become effective immediately.

I hereby certify that the foregoing is a true copy of the resolution adopted by the Yuba City Council of Yuba City in a meeting thereof held on September 6, 2022, by the following vote:

AYES:

NOES:

ABSENT:

Dave Shaw, Mayor

Ciara Wakefield, Clerk Administrator

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

Shannon L. Chaffin, City Attorney
Aleshire & Wynder, LLP

ATTACHMENT B



Protecting Our Nation's Defenders™

10 Betnr Industrial Drive – Pittsfield, MA 01201
 PH (413) 443-7359 – FAX (413) 445-7865

Quotation: 21173C

Customer Code: YBLCA
 Quotation Date: 8/19/2022
 Lenco Tax ID#: 04-2719777
 Repeat Customer: Yes No

Bill To
 Yuba Police Department
 1545 Poole Blvd.
 Yuba City, CA 95993

Ship To
 Yuba Police Department
 1545 Poole Blvd.
 Yuba City, CA 95993

Payment Terms Nct 30 Days	Shipping Terms FOB: Destination	Ship Via Common Carrier
Estimated Completion 12+ Months ARO (Est.)	Inhouse Contact Dan Besemer	Inspection & Acceptance At Lenco's Facility in Pittsfield, MA

Item:	Product #	Qty	Unit Price	Extension
Lenco BearCat	BC55003	1	\$ 200,704.00	\$ 200,704.00
Paint Color: Charcoal Gray	101991			
LED Lights: Red & Blue				
Options:				
Diesel Engine, 6.7L Turbo	BCDLEN	1	\$ 8,859.00	\$ 8,859.00
Back up Camera System with Monitor	BCBU	1	\$ 2,297.00	\$ 2,297.00
Electric Power Mirrors	BCMIR	1	\$ 1,508.00	\$ 1,508.00
Radio Prep Package, (1) Max (2)	BCINSRA	1	\$ 502.00	\$ 502.00
Rear A/C - Heating System: High Capacity Upgrade	BCHACUP	1	\$ 7,182.00	\$ 7,182.00
Roof Mounted Remote Control Spot Light - LED	BCSLED	2	\$ 1,404.00	\$ 2,808.00
(1) 7" Vertical GunPort Upgrade	BCGP7	8	\$ 152.00	\$ 1,216.00
4-Door Configuration	BC4DR	1	\$ 7,858.00	\$ 7,858.00
Hydraulic Front Mounted Receiver with Ram Post and Plate	BCHYDRAM	1	\$ 12,479.00	\$ 12,479.00
Armored Oil Pan Guard	BCAOPG	1	\$ 1,936.00	\$ 1,936.00
VSP Style Low Profile & Scene Lighting Pkg	BCVSPL	1	\$ 4,068.00	\$ 4,068.00
Rear Tow Hitch Receiver w/ Winch Power	BCRTOWRWP	1	\$ 1,257.00	\$ 1,257.00
High Intensity Driving Lights in Front Bumper	BCHIDL	1	\$ 1,340.00	\$ 1,340.00
Take Down Light (Bumper Mounted)	BCTDL	1	\$ 1,853.00	\$ 1,853.00
22.5" Tire and Wheel Upgrade	BCTWU	1	\$ 8,800.00	\$ 8,800.00
Police Cupola w/ Glass & Barn Doors	BCPCUPOLA	1	\$ 26,321.00	\$ 26,321.00
BearCat (Configuration Subtotal)		1	\$ 290,988.00	\$ 290,988.00

Notes: Yuba tax (7.25%) of \$21,096.63 is NOT collected by Lenco.	Proprietary	
	Subtotal	\$ 290,988.00
	Shipping	\$ 14,500.00
	Tax	\$ -
	Total Order	\$ 305,488.00

WARNING: Information Subject to Export Control Laws
 The written approval of the Directorate of US Defense Trade Controls and Lenco Industries, Inc. must be obtained before reselling, transferring, transshipping or disposing of a defense article to any end user, end use or destination other than as stated on this Lenco quote or the shipper's export declaration in cases where an exemption is claimed under this subchapter ITAR 123.9(A).

Acceptance of this quotation or entering into a purchase agreement with Lenco, the purchaser agrees to Lenco's full Terms and Conditions of Sale, available upon request. This quote will be valid for 90 days.

ACCEPTANCE OF PROPOSAL –

Authorized Signature: _____
 Please Sign and Return

Authorized Signature:

Daniel Besemer
 Daniel Besemer

Thank You

ATTACHMENT C



Protecting Our Nation's Defenders™

SOLE SOURCE LETTER

Lenco Industries, Inc.
10 Betnr Industrial Drive
Pittsfield, MA, 01201
E-mail: Contracting@LencoArmor.com
Phone: 413-443-7359

DATE: July 19, 2022

RE: Sole Source Letter for the Lenco BearCat

To Whom It May Concern:

This letter confirms that Lenco Industries Inc. (d/b/a Lenco Armored Vehicles), as designer and manufacturer, is the **Sole Source** provider of the following products in the United States and internationally:

- Lenco BEAR®
- Lenco BearCat®
- Lenco BombCat®
- Lenco MedCat™
- Lenco FireCat™

Additionally, these Lenco products, their specifications, manufacturing techniques and marketing materials are protected by copyrights, trademarks, service marks, patents-pending, nondisclosure agreements, noncompete agreements and exclusive supply agreements; in whole or in part.

There are no other items or products available that offer identical functionality or performance characteristics, and Lenco determines the prices for the above-named products to be fair and reasonable because of pre-competed federal and state supply schedules controlled by exclusive distribution.

Federal Acquisition Regulation (FAR) Part 6.302-1 – “Only one responsible source and no other supplies or services will satisfy agency requirements” is the statutory authority permitting this Sole Source government procurement.

Further, the Code of Federal Regulations (CFR) Title 2, Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards establishes government-wide requirements for federal grants and cooperative agreements. Under the Uniform Guidance, a non-Federal entity that receives a federal award must “provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States.” See 2 C.F.R. § 200.322. If the non-Federal entity fails to do so, the federal awarding agency or pass-through entity may sanction a non-compliant recipient of funds.

In summary, Lenco Armored Vehicles, based in the United States, is the only manufacturer or authorized dealer of the Lenco BearCat, its variants or its equivalent.

Designer and Manufacturer of Tactical Armored Security Vehicles

10 Betnr Industrial Drive · Pittsfield, MA 01201 · Tel (413) 443-7359 · Fax (413) 445-7865
www.LencoArmor.com · e-mail: Info@LencoArmor.com