


Office of the City Manager

CONSENT CALENDAR
April 26, 2005

To: Honorable Mayor and
Members of the City Council
From:  Phil Kamlarz, City Manager
Subject: Purchase of Protective Body Armor for Police Department Employees

RECOMMENDATION

Adopt a resolution approving the purchase of 188 Armorlite LFT ballistic vests from Protective Products International to replace protective body armor currently worn by Police Department employees, and which has exceeded, or is about to exceed its warranty life; or is constructed from possibly defective materials.

FISCAL IMPACTS OF RECOMMENDATION

The Protective Products International Armorlite LFT vests will be purchased under General Services Administration (GSA) contract pricing of \$495 each. Estimated shipping costs would be \$1504. Total cost of this purchase will be \$94,564. Currently there are insufficient funds in the Police Department budget to cover this expense. The Police Department budget will be increased by \$94,564, taken from unclaimed evidence and found money seizures in the Police Department Property Room, which will be transferred into the General Fund. (Budget code 010-7003-420-5540).

Council Resolution 56,914 N.S. authorizes the use of GSA pricing. Protective Products International was awarded a competitively bid contract, GSA #GS-07F-9029D.

CURRENT SITUATION AND ITS EFFECTS

All sworn police officers in the City of Berkeley, and some non-sworn employees who come in contact with the public, are issued concealable protective body armor. Three brands of armor are currently in use, American Body Armor (ABA), Point Blank and Second Chance. Most of the ABA and Point Blank vests were purchased in 2000 or before. They have a 5-year manufacturer's warranty and have either exceeded their warranted life, or are soon to exceed it.

Second Chance Triflex and Monarch model vests have been purchased since 2000. The Triflex vests are constructed of a new ballistic material, Zylon, the Monarch from all Aramid material. There are questions about the safe, useful life of both vests and staff has determined that they should be replaced.

BACKGROUND

In the summer of 2003, a Forest Hills, Pennsylvania police officer was shot and seriously wounded when a bullet penetrated the front panel of his Second Chance Ultima vest. In June of that same year, an officer from Oceanside, CA was shot and killed when a bullet penetrated his Second Chance Ultima vest. Both Ultima and Triflex vests are constructed of Zylon fabric. Preliminary testing has indicated a possible cause for the vest failure was premature degradation of the Zylon material from heat and moisture as a result of normal everyday wear.

We have stopped purchasing the Triflex, although there are some still in use. We began purchasing the Second Chance Monarch, on an as needed basis.

A number of lawsuits have been filed and the United States Attorney General has initiated an investigation as a result of these failures. Second Chance Body Armor, Inc. has since filed for bankruptcy, and although they remain in business, both the Ultima and Triflex vests have been removed from their product line. City purchasing has advised the department not to buy any Second Chance products in the future.

Recently, the Colorado State Police had the United States Test Laboratory, Wichita, KS, conduct independent ballistic testing on a number of Second Chance Monarch vests. Although these vests are constructed of superior Aramid material, the company's construction methods are suspect. The United States Test Laboratory reported all samples failed the National Institute of Justice NIJ0101.04 standard.

RATIONALE FOR RECOMMENDATION

The vast majority of the protective body armor vests currently worn by Berkeley Police Department employees are either past their manufacturer's warranty life, approaching the limit of their manufacturer's warranty life, or constructed of defective material or construction methods that may allow serious injury or loss of life. Employees who work in enforcement situations with the general public must be supplied with adequate safety equipment. This is an officer/employee safety issue.

The Protective Products International Armorlite LFT are all Aramid vests constructed differently from the Second Chance vests and are compliant with National Institute of Justice standard NIJ0101.04 for level IIIA threats, which protects against most handgun caliber rounds. The majority of the existing vests are level II rated (lower protection).

The Police Department has evaluated available products from other vendors and determined that the Protective Products International Armorlite LFT vest has better features and pricing.

Purchase of Protective Body Armor for Police Department Employees CONSENT CALENDAR

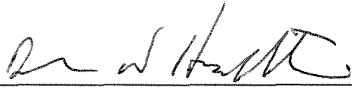
ALTERNATIVE ACTIONS CONSIDERED

None

CONTACT PERSON

Daniel Lee, Lieutenant, Administrative Division 981-5974

Approved:



Douglas N. Hambleton, Chief of Police

RESOLUTION NO. ##, ###-N.S.

APPROVING THE PURCHASE OF 188 PROTECTIVE PRODUCTS INTERNATIONAL ARMORLITE LFT™ BALLISTIC VESTS TO REPLACE PROTECTIVE BODY ARMOR CURRENTLY WORN BY POLICE DEPARTMENT EMPLOYEES, WHICH HAS EXCEEDED, OR IS ABOUT TO EXCEED ITS WARRANTY LIFE; OR IS CONSTRUCTED FROM POSSIBLY DEFECTIVE MATERIALS.

WHEREAS, many of the protective vests recently issued to Police Department employees were constructed of materials suspected of accelerated degradation that may lead to failure; and

WHEREAS, such failures could result in death or injury to the employee wearing the vest; and

WHEREAS, the manufacturer of those vests, Second Chance Body Armor, Inc. has since filed for bankruptcy under Chapter 11; and

WHEREAS, many of the vests worn and not made of the faulty materials have exceeded, or are about to exceed their five year warranty life.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley authorizes the City Manager to purchase 188 Protective Products International Armorlite LFT™ ballistic vests to replace protective body armor currently worn by Police Department employees, which has exceeded, or is about to exceed its warranty life; or is constructed of possibly defective materials.