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VIA EMAIL (pleclair@cityofpasadena.net)

Phillip LeClair, Chief Information Officer
City of Pasadena
Department of Information Technology
100 N. Garfield, Room N123
Pasadena, CA 91109

RE: Proposed Award of Contract Concerning RFP for New Body Worn Camera (BWC) System

Dear Mr. LeClair:

Thank you for taking the time to speak with us on June 9, 2016 to discuss our previous letter relating to the competitive process used by the City of Pasadena ("City"), and the specific questions we raised, relating to New Body Worn Camera System procurement. As I stated during our conversation, the City should be commended for conducting a value-based competitive procurement concerning this matter given the complexity of the BWC system and the critical need to provide the right solution for the Pasadena Police department and community for years to come. Properly conducted, such a process should ensure that the City obtains the best possible system from the best available team and at the best price in an objective, transparent process consistent with legal and procurement standards.

That being said, it seems antithetical to both the process and its goal to proceed with the procurement, which the City has indicated it may do, prior to any examination by the bidders, including VIEVU, of the procurement documents concerning the evaluation of competing bids as we requested in our letter of June 6, 2016. This is particularly important considering that, during our conversation, the City confirmed that it evaluated the proposals based on a different quantity and qualitative assessment of added value services. Indeed, this appears contrary to the stated evaluation criteria described in the Request for Proposal which explicitly states that "Total Costs" (as detailed in Exhibit C) would be the basis of evaluation for the Cost Proposal (Best Value) portion of the proposed solution. Any consideration of criteria other than specified in the Request for Proposal would be invalid absent prior notice of the change provided to all the bidders along with an opportunity to address the change in the proposals.

Given this concern, in order for the City to avoid a re-bid the entire procurement, we suggest that the City simply invite the bidders to submit Best-and-Final Offers ("BAFO") to be scored using objective criteria as determined by the City and evaluate the BAFOs in a transparent manner consistent with the RFP. Absent such adjustments, award of the contract would be inappropriate.

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As previously stated, any error or irregularity in scoring is highly significant in this case because only three points separate VIEVU from the winning bid as currently scored by City staff. The lack of transparency surrounding the scoring process is particularly troubling in the case of the "Best Value/Cost Effectiveness" category, where City staff ranked VIEVU one point lower than the winning bid despite the fact that VIEVU's system is more than 15% less expensive than the leading bidder, representing a savings to the City of greater than \$230,000. Again, this disparity is particularly significant given that the RFP provides that "the cost is the total cost in dollar amount and the value portion is the list of included deliverables and additional number of value-added services, if any."

In this regard, VIEVU notes that the City has separately requested that we provide clarification on our pricing and services to account for the lower costs. In response, VIEVU has provided a separate document containing proprietary and competition sensitive details of our pricing and additional value-added services as reflected in our original proposal and presentation. In summary, however, that data shows:

- VIEVU's camera and accessories upgrade program ensures access to the best technology (as rated by the City in combined criteria of Functional Specifications and Capabilities along with Technology Infrastructure Requirements) over the anticipated 5 year program;
- VIEVU offers a robust warranty program, including on-site spares and replacement;
- VIEVU offers 24/7 tech support at no additional charge;
- VIEVU does not charge for software upgrades, including upgrades providing for continued ease of use functionality being developed with our partner, Microsoft;
- VIEVU does not charge extra for administrative licenses for our VIEVU Solution, allowing unlimited access for administrators and other stakeholders to evidence management data;
- VIEVU's solution is compatible with industry best redaction capability, should the City wish to reduce administrative burden of video redaction;
- VIEVU offers both Android and iPhone mobile applications free of charge, should the City desire to deploy mobile devices to reduce administrative burdens on the field officer; and
- VIEVU is continuously developing improvements in technology applicable to both the field officer and agency. These improvements would be compatible and complementary with our upgrade program over the life-time of the program.

In addition, VIEVU believes that the scoring of the leading bidder as three points better than VIEVU in the "Ability to Perform and References" category should also be reviewed. Specifically, VIEVU's references include the Miami Dade Police Department which is a 1500 camera deployment at an exceedingly aggressive rate that has earned VIEVU the highest score possible for a reference to the California Highway Patrol's recent Request for Quote.

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In summary, the City should defer action on this procurement until all the documentation concerning this procurement and its scoring can be thoroughly reviewed and assessed. In the alternative, however, VIEVU suggests that the City invite the leading bidders to submit BAFOs on an objective and transparent basis.

If the City desires any further information concerning the foregoing, please do not hesitate to contact us. As with our letter of June 6, VIEVU requests that this letter be included in the Council's packet for today's meeting and that its contents be specifically drawn to the attention of the members before they vote on any agenda item concerning this matter.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Don Dutton". The signature is fluid and cursive, written over a light background.

Don Dutton
Vice President & General Manager

cc: Steve Mermell, Interim City Manager
Phillip L. Sanchez, Chief of Police
Michele Beal Bagneris, City Attorney