

WALK-ON # 8

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20050951

1. ACTION REQUESTED/PURPOSE: Transfer \$142,140 from General Fund Reserves Fund 001 to purchase 309 bullet proof vests.

2. WHAT ACTION ACCOMPLISHES: Will allow Lee County Sheriff's Office to replace bullet proof vests as requested from the manufacturer.

3. MANAGEMENT RECOMMENDATION:

4. Departmental Category:		5. Meeting Date: 06-28-05
6. Agenda:	7. Requirement/Purpose: (specify)	8. Request Initiated:
<input type="checkbox"/> Consent	<input type="checkbox"/> Statute	Commissioner _____
<input type="checkbox"/> Administrative	<input type="checkbox"/> Ordinance	Department _____
<input type="checkbox"/> Appeals	<input type="checkbox"/> Admin. Code	Division _____
<input type="checkbox"/> Public	<input type="checkbox"/> Other	By: <i>Mike Leach</i>
<input checked="" type="checkbox"/> Walk-On		

9. Background: We were contacted by the manufacturer Second Chance Body Armor that the material used in the body armor may be subject to unexpected failure. Due to the potential for serious personal injury or death, second chance recommends that you take immediate steps to replace your Ultima or Ultimax vest, even if it is enhanced performance pacs. The manufacturer states the vests should be removed from service.

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
				<i>S. Prant</i> 6/27/05	Analyst <i>AMM</i> 6/27/05	Risk <i>AMM</i> 6/27/05	Grants <i>AMM</i> 6/27/05	Mgr. <i>AMM</i> 6/27/05	<i>HS</i> 6/27/05

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

Rec. by CoAtty
Date: 6/27/05
Time: 4:05
Forwarded To:

RECEIVED BY COUNTY ADMIN:
6/27/05 4:15 pm
COUNTY ADMIN FORWARDED TO:
6/27/05 4:30 pm

Mike Scott
Office of the Sheriff



State of Florida
County of Lee

June 27, 2005

Commissioner St. Cerny,

Please accept the following blue sheet as a walk on item for tomorrow. We have been informed by the manufacturer that the material in the bullet proof vest may be faulty through normal use.

Thank you for taking this item. I will be attending to answer any questions that you might have.

Thank you in advance.

Sheriff Michael Scott
Sheriff, Lee County



14750 Six Mile Cypress Parkway • Fort Myers, Florida 33912-4406 • (239) 477-1000



IMPORTANT SAFETY NOTICE – TRI-FLEX VEST WEARER

Dear Tri-Flex Vest Wearer:

Our concern over the degradation of body armor constructed from Zylon® fiber is well known within the law enforcement community. As the concealable body armor industry leader for over 30 years, we were the first manufacturer to conduct a comprehensive performance evaluation of used vests made from Zylon® and the first to give notice of a potential safety problem.

Independent laboratory testing on used Tri-Flex vests to date have not demonstrated a drop in performance below that to be expected in light of NIJ standards. However, used vest testing no longer appears to be a satisfactory way to determine the reliability of Zylon vests.

We have recently received new information from a technical expert advising us that even those products that only partially rely on the stability and strength of Zylon® fabric may be subject to unexpected failure. In light of this new information, we are no longer confident that our Tri-Flex products, which contain up to 31% Zylon® by weight, will perform to expectations for the life of the original warranty period.

AS A RESULT, AND DUE TO A POTENTIAL FOR SERIOUS PERSONAL INJURY OR DEATH, SECOND CHANCE RECOMMENDS THAT YOU TAKE IMMEDIATE STEPS TO REPLACE YOUR TRI-FLEX VEST, WHICH SHOULD BE REMOVED FROM SERVICE ONLY AFTER YOU HAVE OBTAINED A REPLACEMENT.

The mechanism of failure is known as "hydrolysis," which is a form of degradation that occurs in individual Zylon® fibers used in the construction of soft body armor. We believe this condition is inherent to all of the Zylon® fiber products supplied for use in the manufacture of ballistic vests. The fact that this hydrolytic degradation can result in a sudden, dramatic or catastrophic loss of tensile strength, critical to the performance of our product, only became known to us on May 17, 2005. We have been informed that this sudden loss of tensile strength will vary with individual use and environmental conditions, but could occur within our warranty period even under normal use conditions. While our analysis of Tri-Flex vests in current use indicates modest loss of performance as compared with new products, we have learned that there is no reliable way to predict when the Zylon® fibers might reach the point of failure. We have therefore decided to provide this safety notice even though there have been no field failures reported.

We recognize that you will expect a full and immediate remedy as a result of this notification to remove your Tri-Flex vest from service. Unfortunately, the financial consequences that have resulted from our use of Zylon® fiber have forced us into a bankruptcy reorganization proceeding. We will petition the bankruptcy court and ask that it approve a procedure for presenting claims that may result from this new information. You will be notified once a procedure is established. We did not want to delay this notice while a claims procedure was being developed.

For more information please visit our website at www.secondchance.com, or call 1-800-828-VEST.

NOTHING IS MORE IMPORTANT TO US THAN YOUR SAFETY.

REQUEST FOR TRANSFER OF FUNDS

FUND NAME: General Fund DATE: 06/27/05 BATCH NO. _____

FISCAL YEAR: FY 04/05 FUND #: 00100 DOC TYPE: YB LEDGER TYPE: BA

TO: Constitutional Officer Sheriff's Disbursement
 (DIVISION NAME) (PROGRAM NAME)

NOTE: PLEASE LIST THE ACCOUNT NUMBER BELOW IN THE FOLLOWING ORDER:
 FUND #-DEPT/DIV #-PROGRAM #-OBJECT CODE #-SUBFUND #-PROJECT#-COST CENTER #.
 (EXAMPLE: BB5120100100.503450)

ACCOUNT NUMBER	OBJECT NAME	DEBIT
CG5211500100.504991	Expenses Other Than Salaries	\$ 142,140
	TOTAL TO:	\$ 142,140

FROM: Non-Dept. General Fund Reserves
 (DIVISION NAME) (PROGRAM NAME)

ACCOUNT NUMBER	OBJECT NAME	CREDIT
GC5890100100.509910	Reserve for Contingencies	\$ 142,140
	TOTAL FROM:	\$ 142,140

EXPLANATION: As per bluesheet #BS20050951 dated 6//28/05.

 DIVISION DIRECTOR SIGNATURE DATE

DBS: APPROVAL DENIAL _____

APPROVAL _____ DENIAL _____

CO. ADMIN.: APPROVAL _____ DENIAL _____

BCC APPROVAL DATE _____

 DEPARTMENT DIRECTOR SIGNATURE DATE

Pat Mullis 6/27/05
 OPERATIONS ANALYST SIGNATURE DATE

 BUDGET OPERATIONS MANAGER SIGNATURE DATE

 CO. ADMIN. SIGNATURE DATE

 BCC CHAIRMAN SIGNATURE

BA NO: _____ AUTH CODE: _____ TRANS DATE: _____