

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: Lisa Kim
Dept: City Manager
Subject: Request for Sole Source Approval –
 Performa-Labs

From: Amir El-Farra
Dept: Police
Date: July 21, 2022

The Police Department requests that Performa Labs be designated a sole source distributor for the purchase of their POST-approved training software.

The Police Department is looking to add the training software that is developed and produced by Performa Labs. Performa Labs is a sole-source product, developed, sold and distributed exclusively by Performa. The POST approved training will be utilized for all sworn Police personnel.

Performa Labs utilizes real life body worn camera footage to create POST approved training videos to cover a variety of courses that include De-escalation and Use of Force. This will provide our officers with cutting-edge training resources that will enable them to develop and refine their skills to effectively address the ever-evolving challenges they encounter in the line of duty. The programs offer unique features and benefits that align seamlessly with our Department’s specific training requirements.

No other vendor is authorized to sell Performa Labs products, therefore the Department requests the above-listed vendor be considered the sole source provider of Performa Labs training programs.

Amir El-Farra
Chief of Police



By: Vincente Vaicaro, Lieutenant
Professional Standards Division

Approved:



Lisa Kim
City Manager

Attachment – Sole Source Documentation



Performa Labs
Phone: 1.949.381.6200
19600 Fairchild Rd. Suite 300
t. +1.949.381.6200
Irvine, CA 92612

July 12, 2023

Amir El-Farra
Chief, Garden Grove Police Department
11301 Acacia Parkway
Garden Grove, CA 92840

Re: Performa Labs – Sole Source Training Provider:

Chief El-Farra,

My name is Andree Berengian, and I am CEO and an authorized representative of Performa Labs, Inc. (“Performa”).

This letter is to confirm that the Performa Labs app (“Product”) is a sole-source product, developed, sold, and distributed exclusively by Performa. No company known to our firm, makes a similar or competing product due to our software product being a first-of-its-kind. To this end, we have attached our extensive review of the California Commission on Police Officer Standards and Training (POST) website and its catalog of available training (<https://catalog.post.ca.gov/Default.aspx>).

This Product would provide POST-approved, self-paced, mobile training to the Garden Grove Police Department. These services will allow the Garden Grove Police Department to complete interactive training on a mobile app on the users’ schedule, and at the department’s discretion.

As there are no other like products available for purchase that serves the same function, this Product must be purchased directly from Performa at the address listed above. There are no agents or dealers authorized to represent this product.

If you desire additional information, don’t hesitate to contact me at (1) 949-381-6200 at any time. Thank you for your interest in our product.

Sincerely,

Andree Berengian
CEO, Performa Labs Inc.
andree@performa-labs.com

Attachment: Comparison of Distance Learning Courses from California POST Commission Regulation 1053



Comparison of Distance Learning Courses from California POST Commission Regulation 1053

I. INTRODUCTION

This comparative research is intended to demonstrate Performa Labs sole source attributes towards aggregate training requirements as detailed by California POST Commission Regulation 1053 ("Reg 1053").

- a. Sole source attributes of Reg 1053 requirements are defined by:
 - i. Distance learning courses to specifically include self-paced modality;
 - ii. Quality assurance program review;
 - iii. Certification of Continued Professional Training ("CPT") and Perishable Skills Program ("PSP") credit.
- b. Additional attributes for sole source are qualified by:
 - i. Flexible mode of use, such as operating on a mobile platform;
 - ii. Use of body-worn camera footage for real world scenario and interactive decision making;
 - iii. Subjects of De-escalation and Use of Force led instructional objectives.
- c. Other requirements for Reg 1053, such as instructor-led online courses, blended learning courses, or hybrid courses, and factors of credit hours, were not considered in determining sole source eligibility, but were included in the research for comparison purposes.

II. METHOD

Database: California POST Catalog ("Catalog") for 2023-2024 cycle, beginning 1/1/23 to 12/31/25 (i.e., <https://catalog.post.ca.gov/Default.aspx>).

The Catalog does not define each course by CA Regulation title, so courses with location as Webinar was used to define Reg 1053 approved courses. The research uses Webinar only courses for comparison purposes. Webinar courses are offered more frequently than non-Reg 1053 courses, so course titles were deduplicated as a unique definition.

III. RESULTS

- a. The Catalog showed a total of 5,648 courses, of which 3,739 courses meet Reg 1053 requirements.
- b. 78 courses are unique courses under Reg 1053.
- c. 20 courses have instructional objectives subject to De-escalation and Use of Force.
- d. 9 courses have been identified as self-paced, non-instructor-led online courses. All 9 courses have CPT and/or PSP credit.
- e. 7 courses have been identified as usage of any body-worn footage.
- f. 4 courses contain only body-worn footage, interactive decision making, and the use of a mobile-based platform.
- g. These 4 courses belong to Performa Labs and total 14 hours of training for CPT and PSP credit.