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OFFICE OF THE CITY CLERK
OAKLAND

2014 MAR 27 PM 3:55

AGENDA REPORT

TO: FRED BLACKWELL
INTERIM CITY ADMINISTRATOR

FROM: Bryan M. Sastokas

SUBJECT: Public Safety Radios
Maintenance Agreements

DATE: March 14, 2014

City Administrator
Approval

Date 3-26-14

COUNCIL DISTRICT: City-wide

Staff recommends that City Council approve a resolution authorizing the City Administrator or his designee to:

- 1) Negotiate and enter into a professional services contract with Harris Public Safety Communications in an amount not-to-exceed five hundred thousand dollars (\$500,000) for a one year agreement, with an option to renew for an additional year, for a total not-to-exceed amount of one million (\$1,000,000) for maintenance and professional services over a two-year period, and
- 2) Enter into a purchasing contract with Harris Public Safety Communications for supply of radio parts, and materials for the city's 800 MHz radio equipment in an amount not-to-exceed five hundred thousand dollars (\$500,000) for a one year agreement, with an option to renew for an additional year, for a total not-to-exceed amount of one million (\$1,000,000) over a two-year period, and
- 3) Waive the city's advertising, competitive bid and request for proposal (RFP) process-for equipment, products and professional services for the above described contracts

OUTCOME

Adoption of this resolution will allow the City Administrator to expend designated funding from the Radio Fund (Fund 4200) to support the day-to-day operation and maintenance of the City's Public Safety Radio System and subscriber radio equipment.

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EXECUTIVE SUMMARY

The City currently owns and operates multiple radio systems and is responsible for the maintenance of its own radio systems and support of subscriber radio equipment. Prior to January 2013, the City had a basic maintenance agreement to support the radio system; however, this basic maintenance agreement expired in January of 2013 and was not immediately renewed due to the need for staff to identify the various gaps and inconsistencies called out by the City's consultant with regard to the previously contracted coverage.

Beginning in December 2012, staff investigated and held prolonged discussions with various vendors on how best, and most cost efficiently the City could obtain the full scope of services required to support the radio systems and radio subscriber equipment. During this time, and given the immediate and urgent need to support this mission critical system and equipment, the City's vendor, Harris Public Safety Communications at its own cost, stepped-in to support the City's radio system until January of this year. In addition to supporting the radio system, the City's vendor also assumed the day-to-day responsibilities for maintaining and repairing all radio subscriber equipment including the performance of the City's first annual maintenance program. These efforts are largely credited with stabilizing the radio system and the drastic reduction in trouble reports from radio users.

In January 2014, amid great speculation that the City had already made a decision concerning alternatives for radio system providers, the City's vendor abruptly departed the local area leaving the City to assume all maintenance responsibilities. At this time, the technical staff is unable to properly repair and maintain the radio system or its radio subscriber equipment, leaving the City's infrastructure and its first responder's equipment at great risk.

As detailed in the recent consultant report concerning the City's radios, Staff is not currently equipped, and has not yet received the requisite training to assume the day-to-day responsibility of maintaining and repairing the City's radio subscriber fleet. Even with the proper training and resources, the City must still maintain an active maintenance support agreement for the radio system to ensure software and hardware are kept up-to-date with security and other necessary updates including periodic maintenance. Currently, the City is without a maintenance contract to support this mission critical system or its user equipment. Due to limited resources, the City is unable to immediately absorb all of the associated responsibilities to maintain existing equipment. Staff has been able to observe the services provided by the City's vendor over the past year and has developed a scope of work which includes the maintenance and professional services necessary to continue supporting the City's radio system and radio subscriber fleet while the City continues to move forward with examining, and negotiating alternatives to operating its own radio system.

In addition to the maintenance contract, the Department of Information Technology requires purchasing authority to fulfill its ongoing responsibilities of providing support to the City's radio subscriber fleet with regard to new equipment purchases to support new radio users, vehicles,

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and periodic maintenance and replacement of existing equipment. This purchasing authority is also necessary to ensure that replacement parts, basic professional services such as technical training, technical and engineering support, and operational tools and materials to support the City's technicians are available as needed. Further, this purchasing authority would also ensure the Department of Information Technology could purchase the services and equipment necessary to maintain and support the inventory of critical spares and equipment necessary to continue operating the City's Public Safety Radio System.

The professional services and equipment related to the City's radio system were manufactured and installed by a single vendor, Harris Public Safety Communications and as such, Harris is the sole manufacturer and provider of the services and equipment necessary to support the City's needs. Staff recommends that the City Council waive the competitive bid process to award the maintenance contract and purchasing contract to Harris Public Safety Communications.

Oakland Municipal Code ("OMC") Section 2.04.050 requires advertising and bidding for contracts for the purchase of supplies, equipment, and computer software and the award to the lowest responsible, responsive bidder if award is made. Section 2.04.050 I. 5 provides an exception to the advertising and competitive bidding requirement of the OMC upon a finding and determination by the Council that it is in the best interests of the City to do so.

Additionally, OMC Section 2.04.051 A. requires that a competitive Request For Proposal ("RFP") or Request For Qualifications ("RFQ") selection process for award of contracts that exceed \$25,000 for professional service contracts and which are exempt from bidding under Section 2.04.050.1.1. OMC Section 2.04.051 B provides that the Council can waive the RFP/RFQ requirement if it finds that it is in the best interests of the City to do so.

Harris Public Safety Communications is our existing vendor and can provide the service to the City at the lowest possible cost. The City's existing 800 MHz Radio Network system was manufactured by Harris Public Safety Communications, and Harris is, therefore, the sole manufacturer of the parts and materials required for the radio system. In addition, Harris Public Safety Communications has been maintaining and supporting the City's radio system since it became operational and possesses deep technical knowledge of the Oakland network. In the interest of time as well as providing radio maintenance and optimum performance of public safety communications, staff recommends that the City Council find and determine that it is in the best interests of the City to waive formal advertising and bidding requirements for the contracts to be awarded to Harris Public Safety Communications, and to waive the RFP/RFQ selection requirements.

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FISCAL IMPACT

The Department of Information Technology is responsible for the maintenance of the equipment and systems detailed in this project. The Radio and Telecommunications Fund (Fund 4200), Project Number (P448510) will be used to pay for the ongoing as well as one-time maintenance cost. The projected cost of the maintenance of the equipment and system is estimated to be \$1 million in FY 2014-15 and \$1 million in FY 2015-16.

SUSTAINABLE OPPORTUNITIES

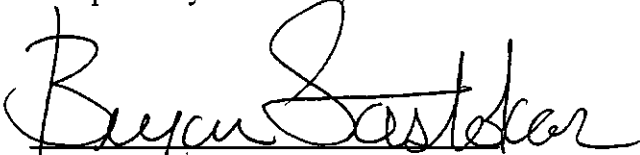
Economic: There are no economic development opportunities related to this report at this time.

Environmental: There are no environmental opportunities related to this report.

Social Equity: The City of Oakland continues to ensure that the Public Safety personnel are able to communicate during emergencies with minimal disruptions therefore providing first responders the ability to respond during emergencies to all of Oakland's residents and the community.

For questions concerning the contents of this report, please contact David Cruise, Information Systems Supervisor, at 510-238-3917.

Respectfully submitted,



Bryan M. Sastokas, Chief Information Officer
Department of Information Technology

Prepared by:
David Cruise
IS Supervisor, Wireless Communications
Public Safety Systems Services
Department of Information Technology

Reviewed by:
Ahsan Baig
IS Manager, Public Safety Systems Services
Department of Information Technology

Attachment (1) – Summary of Invoices Paid for Radio Parts and Services from 2011 to 2014

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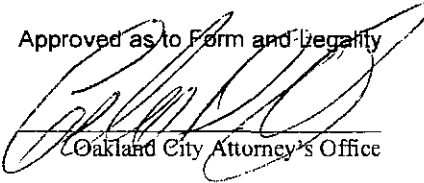
ATTACHMENT A

CITY OF OAKLAND - DEPARTMENT OF INFORMATION TECHNOLOGY
Summary of Invoices Paid for Radio Parts and Services from 2011 to 2014
Data from Oracle as of 03/27/14

DESCRIPTION OF PAYMENTS BY YEAR	TOTAL
2011	\$ 1,653,749
INTEGRATOR GOLD LOGIC CARD	\$ 927
OES RADIO NTRWK EQUIP UPGRDE PMTS	\$ 760,272
OFD RADIO NTRWK UPGRDE MAINT SVCES PMTS	\$ 600,000
ASAP SPARES AND VIP CONSOLES	\$ 140,844
RADIO SUPPLIES	\$ 2,338
RADIO SUPPLIES	\$ 581
RADIO SUPLS PMTS	\$ 495
MAINT SUPRT SVCES PMTS	\$ 146,500
OFC SUPLS PMTS BLT CLPS	\$ 437
RADIO SUPLS PMTS	\$ 898
RADIO SUPLS PMTS	\$ 458
2012	\$ 1,179,568
DUAL HEAD M7200 MOBILE RADIOS(2)	\$ 13,529
RADIO SUPLS PMTS	\$ 16,321
OES RADIO EQUIP UPGRDE PMTS	\$ 319,733
OES RADIO NTRWK EQUIP UPGRDE PMTS	\$ 187,500
OES RADIO SUPLS PMTS	\$ 76,727
OES EBMUD PORT RADIO EQUIP PMTS	\$ 18,406
OES FRE CMD VEH EQUIP PMTS	\$ 18,276
OES USAI FEC CDES SUPLS PMTS	\$ 23,979
BDA EMNT OPD SUB STA. SVCES PMTS	\$ 40,177
OES NSS LIC IP LOGGING SVCES PMTS	\$ 26,341
RADIO MAINT SVCES PMTS	\$ 5,731
RADIO MAINT SVCES PMTS JUL 2012	\$ 2,536
RADIO SUPLS PMTS	\$ 1,481
RADIO MAINT SVCES PMTS	\$ 4,820
RMS PRO SFTWRE PROG SVCES PMTS	\$ 111,130
TEL MAINT SVCES PMTS	\$ 4,066
RADIO SUPLS PMTS	\$ 1,280
RADIO SUPL PMTS	\$ 1,864
RADIO PARTS & SUPLS PMTS	\$ 6,029
RADIO DESIGN PHASE 2 PMTS	\$ 173,580
RADIO MAINT SVCES PMTS	\$ 2,310
RADIO SUPLS PMTS	\$ 442
RADIO EQUIP UPGRADE PMTS	\$ 47,959
P25 SYS TEST & CONFIGURATION SVCES PMTS	\$ 62,500
RADIO SUPLS PMTS	\$ 354
RADIO SUPLS PMTS	\$ 2,511
RADIO MAINT SVCES PMTS	\$ 345
RADIO SUPLS PMTS	\$ 434
RADIO MAINT SVCES PMTS	\$ 9,207

2013	\$ 677,079
CMPTR HRDWRE & SFTWRE SUPLS PMTS	\$ 4,088
REMOTE EQUIP PMTS	\$ 3,971
800 MHZ WIRING KIT SUPLS PMTS	\$ 1,143
RADIO MAINT SVCES PMTS	\$ 8,050
RADIO MAINT SVCES PMTS	\$ 4,140
RADIO MAINT SVCES PMTS	\$ 6,325
RADIO SUPLS PMTS	\$ 9,258
OSCILLATOR EQUIP PMTS	\$ 16,289
GENERATOR # 2 EQUIP PMTS	\$ 55,677
PARTS & SVCES FOR GENERATOR EQUIP PMTS	\$ 2,553
RADIO SUPLS PMTS	\$ 7,263
RADIO SUPLS PMTS	\$ 8,942
RADIO & ANTENNA SYS EQUIP PMTS	\$ 69,920
MOBILE RADIOS PMTS	\$ 31,821
MULTIPLEXER EQUIP PMTS	\$ 18,555
RADIOS SPARES SUPLS PMTS	\$ 31,821
RADIO MAINT SVCES PMTS	\$ 3,834
ON SITE TECH SURPT SVCES PMTS RADIO SHP	\$ 5,000
RADIO MAINT SVCES PMTS	\$ 22,258
RADIO PART SUPLS PMTS	\$ 4,654
GNRTR EQUIP PMTS RADIO SHP GWIN SITE	\$ 55,677
23 MONITORS EQUIP PMTS	\$ 25,224
RADIO MAINT SVCES PMTS	\$ 2,905
RADIO EQUIPMENT	\$ 277,711
2014	\$ 211,346
RADIOS FOR PARKING ENFORCER	\$ 145,375
ANTENNA PARTS PMTS	\$ 2,486
30 LCD TOUCH MONITORS PMTS	\$ 53,342
CABLING ENCLOSURE MODULE PMTS	\$ 10,142
Grand Total	\$ 3,721,741

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Oakland City Attorney's Office

OAKLAND CITY COUNCIL
RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO:

- 1) NEGOTIATE AND ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH HARRIS PUBLIC SAFETY COMMUNICATIONS IN AN AMOUNT NOT-TO-EXCEED FIVE HUNDRED THOUSAND DOLLARS (\$500,000) FOR A ONE YEAR AGREEMENT, WITH AN OPTION TO RENEW FOR AN ADDITIONAL YEAR, FOR A TOTAL NOT-TO-EXCEED AMOUNT OF ONE MILLION (\$1,000,000) FOR MAINTENANCE AND PROFESSIONAL SERVICES OVER A TWO-YEAR PERIOD, AND**
- 2) ENTER INTO A PURCHASING CONTRACT WITH HARRIS PUBLIC SAFETY COMMUNICATIONS FOR SUPPLY OF RADIO PARTS, AND MATERIALS FOR THE CITY'S 800 MHz RADIO EQUIPMENT IN AN AMOUNT NOT-TO-EXCEED FIVE HUNDRED THOUSAND DOLLARS (\$500,000) FOR A ONE YEAR AGREEMENT, WITH AN OPTION TO RENEW FOR AN ADDITIONAL YEAR, FOR A TOTAL NOT-TO-EXCEED AMOUNT OF ONE MILLION (\$1,000,000) OVER A TWO-YEAR PERIOD, AND**
- 3) WAIVE THE CITY'S ADVERTISING, COMPETITIVE BID AND REQUEST FOR PROPOSAL (RFP) PROCESS FOR EQUIPMENT, PRODUCTS AND PROFESSIONAL SERVICES FOR THE ABOVE DESCRIBED CONTRACTS**

WHEREAS, the Department of Information Technology is working to update and improve the service and reliability of the City's 800 MHz radio infrastructure; and

WHEREAS, the City passed Resolution No. 79709 C.M.S. authorizing the City Administrator to execute a purchase order with Harris (formerly M/A-COM) for radio parts and materials for an amount not to exceed five-hundred thousand dollars (\$500,000) for one year agreement with an option to renew for an additional year without return to council; and

WHEREAS, Harris Public Safety Communications, an Oakland "local certified" business, has been performing maintenance without an agreement or receiving compensation since the previous maintenance agreement ended in January of 2013; and

WHEREAS, the City's radio system will need periodic repairs regular maintenance and modifications in order to meet the current needs of our public safety units; and

WHEREAS, the City's portable and mobile radio equipment will need repairs and regular maintenance in order to meet the current needs of our public safety units; and

WHEREAS, the Department of Information Technology is responsible for the purchase and maintenance of portable and mobile radio equipment and professional services and the City has regular day-to-day needs to fulfill purchases of radio equipment and services to support the needs of our public safety units; and

WHEREAS, Oakland Municipal Code sections 2.04.050.I.5 and 2.04.051.B permit the Council to waive advertising and bidding upon a finding that it is in the City's best interests to do so; and

WHEREAS, City's existing 800 MHz Radio Network system was manufactured by Harris Public Safety Communications, Harris is, therefore, the sole manufacturer of the parts and materials required for the radio system; and

WHEREAS, Harris Public Safety Communications has been maintaining and supporting the City's radio system since it became operational and possesses deep technical knowledge of the Oakland network; and

WHEREAS, the City continues to investigate and negotiate with the East Bay Regional Communications Authority (EBRCSA) for P-25 radio system access and has determined that any transition to its system will take approximately eighteen (18) to twenty-four (24) months and therefore the City must continue to maintain its own radio system in order to meet the current needs of our public safety units; and

WHEREAS, the maintenance agreement with Harris Public Safety Communications shall be structured to award maintenance contracts on a year-by-year basis and be subject to annual scope of work negotiations to ensure the City has flexibility in continuing to maintain the City system or transition to the East Bay Regional Communications System; and

WHEREAS, Staff has determined that the services provided pursuant to said agreement with Harris Public Safety Communications are of a professional, scientific, or technical nature and are temporary in nature; and

WHEREAS, the primary funding source is the Radio Fund (Fund 4200), (Project P448510), and (Account 52515); and

WHEREAS, the City finds that this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: That pursuant to Oakland Municipal Code section 2.04.050.I.5, and for the reasons stated above and in the City Administrator's report accompanying this resolution, the City Council finds that it is in the best interests of the City to waive the City's advertising and bidding requirements for the purchase of professional and technical services, radio parts and materials for the City's 800 MHz Radio Network equipment and so waives the requirements in

the interest of time and Harris Public Safety communications is the City's existing vendor and can provide the service to the City at the lowest cost/

FURTHER RESOLVED: That the City's existing 800 MHz Radio Network system was manufactured by Harris Public Safety Communications, and Harris is, therefore, the sole manufacturer of the parts and materials required for the radio system; and be it

FURTHER RESOLVED: That Harris Public Safety Communications has been maintaining and supporting the City's radio system since it became operational and possesses deep technical knowledge of the Oakland network; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator, or his designee, to negotiate and enter into a maintenance agreement with Harris Public Safety Communications in an amount not to exceed five-hundred thousand dollars (\$500,000) for one year agreement with an option to renew for an additional year for the purchase of maintenance and professional services; and be it

FURTHER RESOLVED: That a contract is awarded to Harris Public Safety Communications, for the supply of radio parts and materials for the City's 800 MHz Radio Network equipment in an amount not to exceed five-hundred thousand dollars (\$500,000) for one year agreement with an option to renew for an additional year; and be it

FURTHER RESOLVED, That the primary funding source is the Radio Fund (Fund 4200) and (Account 52515) and said funds shall be drawn from the Radio Fund (Fund 4200); and be it

FURTHER RESOLVED: That the City Council finds and determines based on the above determinations of the City Administrator, that the goods and services provided pursuant to the agreements authorized hereunder are of a professional, scientific, or technical and temporary nature, and shall not result in a loss of employment or salary by any person having permanent status in the competitive service process; and be it

FURTHER RESOLVED: That the City Administrator or his designee is hereby authorized to take whatever action is necessary with respect to the agreement consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney's Office for form and legality prior to execution, and a copy shall be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, GALLO, KAPLAN, KALB, MCELHANEY, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES -

ABSENT-

ABSTENTION-

ATTEST _____
LaTonda Simmons
City Clerk and Clerk of the
Council of the City of Oakland, California