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# AGENDA REPORT

**TO:** HENRY GARDNER  
Interim City Administrator

**FROM:** Bryan M. Sastokas

**SUBJECT:** Public Safety Portable Radios  
Replacement Project

**DATE:** June 26, 2014

City Administrator  
Approval

Date

6/26/14

## RECOMMENDATION

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

- 1) Appropriate and allocate \$7,950,600 of radio financing funds to pay for public safety radio fleet replacement, and
- 2) Award contracts to Motorola Solutions Inc. and other vendors for the purchase of portable radios and associated equipment, products, professional and technical services within the budget of \$7,950,600 without return to council, provided that prior to expenditure of any funds staff will award contracts and establish contract amounts for the Controller's Bureau; and
- 3) Waive advertising and competitive bidding and request for proposals/qualifications (RFP/Q) requirements, for said purchases.

## EXECUTIVE SUMMARY

The City currently owns and operates a P25 radio network and is responsible for the maintenance of its own radios and support of subscriber radio equipment. The portable radio equipment currently utilized by the Oakland Police and Fire Departments are aging and, as detailed by the City's independent consultant (RCC Report) in need of immediate replacement. The City has identified and tested new portable radio equipment from multiple vendors that are compatible with the Oakland P25 network, as well as with the East Bay Regional Communications System Authority (EBRCSA) P25 radio network.

The existing portable radios in use by the City's first responders were provided by Sprint-Nextel in 2007 during the "Re-banding Project". These radios were provided without cost to the City as replacements for older radio equipment that was subjected to interference by Sprint-Nextel. At that time, the City had no voice in the selection of the radio model it received but rather, were

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provided as the "equivalent replacement" for the portable radio equipment the City had purchased in the late 1990's. In summary, while the portable radios have reached their end of life while deployed, the design, technology, and extended age of the internal components of our portable radio fleet is extraordinarily out of date and, in dire need of replacement. This purchase and/or lease represent the first investment into portable radio equipment since the late 1990's. Staff strongly believes, and the City's independent consultant (RCC) has verified, the replacement of the portable radios is critical to ensuring the continued reliability of public safety communications within the City of Oakland.

Based on the independent tests of these radios, staff recommends moving forward with equipment provided by Motorola Solutions Inc. Based on preliminary discussions and market research, the purchase and/or lease of the portable radio equipment necessary to accomplish this project is currently estimated to cost no more than \$7,576,800 in equipment and, \$373,800 in professional services, including a 5% project contingency.

The Information Technology Department is in the early stages of formulating the scope and deployment plan to replace the portable radio fleet currently in use by our first responders and believes this equipment replacement project can be accomplished within twelve (12) months from equipment delivery. The professional services included in the budget will provide for temporary staff to assist existing ITD staff with the deployment and help to ensure this project is not delayed.

OMC sections 2.04.050.A and 2.04.051 A require the City to conduct advertising and bidding and request for proposal or qualifications to the purchase radios and related equipment and products and professional, technical services. OMC sections 2.04.050.I.5 and 2.04.051 B authorize the Council to waive these requirements upon a finding that it is in the best interest of the City to do so. Staff recommends that the City Council find and determine that it is in the best interests of the City to waive these purchasing processes due to the City's urgent need to replace the portable radio fleet supporting the City's first responders. Given the necessity to maintain this critical public safety communications equipment, the City would benefit by expediting the execution of these purchases and services. Further, Motorola Solutions Inc. products are widely deployed across the nation, and based on the City's independent tests, deliver an exceptional quality product that outperforms its competitors with regard to its ability to perform when subjected to cellular interference while operating in a frequency congested area such as the Oakland Bay Area.

### **OUTCOME**

Adoption of this resolution will allow the City Administrator to expend funding from the Radio and Telecommunications Fund (Fund 4200) to replace the public safety portable radio fleet as expeditiously as possible.

## BACKGROUND/LEGISLATIVE HISTORY

In January 2012, following frequent complaints from our first responders, including reports by users that the Oakland P25 system created additional "dead-spots" of radio coverage, the City Administrator commissioned an independent consultant, RCC Consultants Inc. (RCC), to evaluate the Oakland P25 network and its respective operations, and make recommendations to correct any deficiencies. In addition to contracting the independent consultant, in August 2012, the City hired a public safety systems expert to assist City staff in finding the root causes of, and recommending solutions to, user complaints, including the assessment of the EBRCSA system as an alternative. This detailed analysis of Oakland's radio communications uncovered numerous operational deficiencies, including, widespread cellular interference, a lack of user training, and maintenance procedures that contributed to the trouble reports. Since that time, the City and its manufacturer supplier, Harris Public Safety & Professional Communications, have initiated numerous corrective actions to resolve the issues mentioned above. The largest remaining issue as confirmed by the independent consultant report (Attachment A, Page 63) is the replacement of the portable radio fleet. The Oakland P25 network itself was not found to be the root cause of the trouble reports, and today, the network continues to meet public safety standards and exceed 99.999% network availability.

On February 18, 2014, Council authorized the City Administrator or designee to negotiate and execute a master lease agreement and necessary related documents to provide funding to replace the existing radio fleet and upgrade the aging communication equipment in an amount not to exceed \$27,000,000 at an interest rate not to exceed 4.50% of a tax-exempt basis and 5.75% on a taxable basis for a term of not more than 8 years in Resolution No. 84840 C.M.S.

## ANALYSIS/COST IMPLICATIONS

Staff is recommending financing the replacement of approximately 1,200 portable radio units from Motorola Solutions Inc. for the Oakland Police and Fire Departments, that are compatible with the Oakland P25 radio network, as well as with the EBRCSA P25 radio network. Further, this purchase and/or lease of portable radio units is necessary regardless of whether the City joins the EBRCSA P25 network or remains on the Oakland P25 network. **This financing transaction will draw down \$7,576,800 of the \$27,000,000 previously approved via Resolution No. 84840 C.M.S. for radio infrastructure.**

The Master Lease debt service payments and one-time professional service appropriation will be made from the City's Radio Fund (Fund 4200) and we anticipate debt service payments beginning after July 1, 2015. The professional service agreements will be paid for by the General Purpose Fund Balance (Fund 1010) (Projects A468581 and A468582) that has been reserved by the City Council for future radio projects in FY 2013-14.

The table below details the estimated debt service payment over five years:

Debt Service Payment Over 5 Years

Description	FY 14-15	FY 15-16	FY 16-17	FY 17-18	FY 18-19	FY 19-20	TOTAL
Portable Radio Payment	-	\$1,725,932	\$1,725,932	\$1,725,932	\$1,725,932	\$1,725,932	\$8,629,658
Professional Services	\$373,800						
SUM	\$373,800	\$1,725,932	\$1,725,932	\$1,725,932	\$1,725,932	\$1,725,932	\$8,629,658

In FY 2015-16, the Information Technology Department plans to revise the Radio Fund internal service rates to recoup the costs of the portable radios and to include the cost of future capital expenditures related to the outcome of the City's P25 network.

**PUBLIC OUTREACH/INTEREST**

This item did not require any additional public outreach other than the required posting on the City's website.

**COORDINATION**

This report was developed in consultation with staff in the Treasury Division, Budget Office and the City Attorney's Office.

**FISCAL IMPACT**

The Information Technology Department is responsible for the maintenance of the equipment and systems detailed in this project. The Radio and Telecommunications Fund (Fund 4200) will be used to pay for the ongoing as well as a one-time purchasing cost. The projected cost of this project is \$7,950,600.

**SUSTAINABLE OPPORTUNITIES**

***Economic:*** There are no economic opportunities associated with this report.

***Environmental:*** There are no environmental opportunities associated with this report.

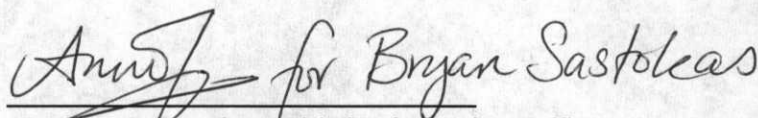
***Social Equity:*** The City of Oakland continues to ensure that the Public Safety personnel are able to communicate during emergencies with minimal disruptions therefore providing first responders the ability to respond during emergencies to all of Oakland's residents and the community.

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For questions regarding this report, please contact David Cruise, Information Systems Supervisor, at [dcrui@oaklandnet.com](mailto:dcrui@oaklandnet.com) or (510) 318-4028.

Respectfully submitted,



Bryan M. Sastokas, Chief Information Officer  
Information Technology Department

Prepared by:  
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Information Technology Department

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Public Safety Systems Services  
Information Technology Department

ATTACHMENT:  
Attachment A – RCC Report (Page 63)

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- Overall Cost
- Operational Control
- Radio System Coverage
- Radio System features and Capabilities
- Interoperability with surrounding agencies

The two main alternatives provide very similar radio coverage within the Oakland service area, and both systems provide similar capabilities.

The EBRCS system offers an advantage in coverage beyond the Oakland service area, and offers the highest level of interoperability with other agencies in Alameda County and Contra Costa County outside of Oakland's city limits.

Staying with its own radios system gives the City the greatest level of control over both its own operations and its own expenses.

Both systems provide interoperability with outside agencies that have moved to the P25 platform. Indeed, the City of Oakland already allows outside users, including some EBRCS users, to operate on its system, and is not currently charging their interoperability partners for system access.

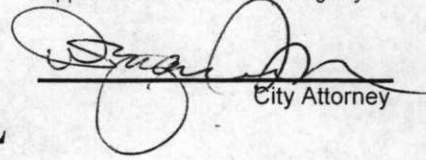
Two significant issues must be addressed by the City regardless of which decision they make:

1. The City should upgrade its current subscriber radio fleet (even if it stays on its own system)
2. The City must focus on upgrading (or outsourcing) its subscriber maintenance capabilities

Oakland personnel report that their biggest remaining issue with the Oakland system involves their P7200 portable radios, and user feedback from officer testing indicates that newer models of Harris portable radios perform better than the P7200s. Portable radios for public safety personnel should be replaced as soon as possible. RCC recommends that the City obtain samples of current models of public safety radios from Harris, Motorola, and other P25 manufacturers, and evaluate them on the Oakland system, the EBRCS system, and the BART P25 system. It is possible that the City could carry out this migration over several years through attrition and replacement if the City remains on the Oakland System, or the City could manage this process in as part of its cutover to EBRCS. Public safety radios in particular should be replaced if the City decides to move to the EBRCS system. In either case, the City needs to plan on and budget for replacing its subscriber fleet.

Replacing the entire subscriber fleet is likely to cost the City \$15 million to \$20 million, regardless of whether the City stays on its own system or moves to the EBRCS system. (Competitive pressures and bulk procurement may both be managed to help the City achieve greater discounts. Both are best managed though a competitive bidding process involving large numbers of subscribers.)

As noted in Section 5.8, the City of Oakland needs to take active steps to upgrade the ability of its Radio Shop to maintain the Oakland system and the Oakland fleet of radios, if Oakland intends to remain in the radio business. If the City elects not to make that investment in its own personnel, then the City must formalize an agreement with a third party (contractor or other governmental agency) to supplement or take over that role from the City. At present, the City relies heavily upon Dailey-Wells and Harris for that assistance, but does not have a formal maintenance agreement or network monitoring agreement in place.

  
City Attorney

# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HIS DESIGNEE TO:**

- 1) **APPROPRIATE AND ALLOCATE \$7,950,600 OF RADIO FINANCING FUNDS TO PAY FOR PUBLIC SAFETY RADIO FLEET REPLACEMENT, AND**
- 2) **AWARD CONTRACTS TO MOTOROLA SOLUTIONS INC. AND OTHER VENDORS FOR THE PURCHASE OF PORTABLE RADIOS AND ASSOCIATED EQUIPMENT, PRODUCTS, PROFESSIONAL AND TECHNICAL SERVICES WITHIN THE BUDGET OF \$7,950,600 WITHOUT RETURN TO COUNCIL, PROVIDED THAT PRIOR TO EXPENDITURE OF ANY FUNDS STAFF WILL AWARD CONTRACTS AND ESTABLISH CONTRACT AMOUNTS FOR THE CONTROLLER'S BUREAU; AND**
- 3) **WAIVE ADVERTISING AND COMPETITIVE BIDDING AND REQUEST FOR PROPOSALS/QUALIFICATIONS (RFP/Q) REQUIREMENTS, FOR SAID PURCHASES**

**WHEREAS,** On Jan 21, 2014 Council directed the staff to enter into negotiations with East Bay Regional Communication System Authority (EBRCSA) and return to Council in 90-120 days with proposed negotiations terms and a funding and transition plan for the City Council to consider; and

**WHEREAS,** On February 18, 2014 Council authorized the City Administrator to negotiate and execute a master lease agreement and necessary related documents to provide funding to replace the existing radio fleet and upgrade the aging communication equipment in an amount not to exceed twenty-seven million dollars (\$27,000,000) at an interest rate not to exceed 4.50% on a tax-exempt basis and 5.75% on a taxable basis for a term of not more than 8 years; and

**WHEREAS,** EBRCSA P25 radio network equipment is manufactured and provided by Motorola Solutions Inc.; and

**WHEREAS,** City of Oakland owns, operates and maintains its own P25 Radio network, manufactured by Harris Public Safety and Professional Communications; and

**WHEREAS,** the current fleet of portable radio equipment currently in use by the Oakland Police and Fire Department users have been in service for more than seven years, while the useful life of this equipment averages seven to nine years; and



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**WHEREAS**, staff has determined it is necessary to replace and deploy new radios and associated support equipment to include various types of protective cases and straps, external microphones, various specialized audio accessories including earpieces and headset systems, batteries and charging stations, programming and alignment services and equipment including cables, software, and specialized radio test and alignment hardware; and

**WHEREAS**, Oakland Municipal Code Sections 2.04.050.A, 2.04.051.A and 2.04.040.B require staff to conduct advertising and bidding or request for proposals processes for the purchase of products or professional, technical or specialized services; and

**WHEREAS**, Oakland Municipal Code Sections 2.04.050.I and 2.04.051.B authorize the City Council to waive advertising and bidding or requests for proposal/qualification processes upon finding that it is in the best interests of the City to do so; and

**WHEREAS**, staff researched and contacted other public safety organizations in the Bay Area that selected Motorola Radio Equipment through competitive bids and currently use their handheld radio equipment and recommends that it is in the best interests of the city to waive advertising and bidding and request for proposal/qualifications requirements for the purchase Motorola radios and products, parts and services needed to support said radios because Motorola radios are compatible with the current Oakland P25 network and the EBRCSA P25 radio network, and will minimize additional integration costs if the Council decides to join the EBRCSA network; and

**WHEREAS**, staff has determined that an appropriation of seven million nine hundred fifty thousand six-hundred dollars (\$7,950,600) is needed to buy radios, related equipment, products and professional and technical services needed to fully replace the portable radio fleet; and

**WHEREAS**, staff will be required to identify all contractors and contract amounts prior to any expenditure of the funds so that the Controller's Bureau can track expenditures; and

**WHEREAS**, the City Administrator has determined that services provided pursuant to said agreement with Motorola Solutions Inc. are of a professional, scientific, or technical nature and are temporary in nature; and

**WHEREAS**, the City Administrator has determined that said agreements shall not result in a loss of employment or salary by any person having permanent status in the competitive service; now therefore be it

**RESOLVED:** That the City Council hereby appropriates seven million nine-hundred fifty thousand six hundred dollars (\$7,950,600) to the Radio and Telecommunications Fund (Fund 4200) to be used for the purchase of portable radios, related equipment, products and professional and technical services to replace the city's existing portable radio fleet; and be it

**FURTHER RESOLVED:** That funds to pay the onetime costs and ongoing annual costs will be paid out of the Radio and Telecommunication Services Fund (Fund 4200); and be it.



**FURTHER RESOLVED:** That pursuant to OMC sections 2.04.050.I. and 2.04.051.B and for the reasons stated in the City Administrator's report accompanying this Resolution and above, the City Council hereby finds and determines that it is in the best interest of the City to waive advertising, bidding and request for proposal/qualifications processes for the purchase of portable radios, equipment, products and professional and technical services needed to replace the City's portable radio fleet; and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the City Administrator or his designee to award contracts to Motorola Solutions Inc. and other vendors for the purchase of portable radios and associated equipment, products and professional and technical services needed to replace the city's existing fleet within the total budget of seven million nine-hundred fifty thousand six hundred dollars (\$7,950,600), without return to council, provided that prior to expenditure of any funds staff completes contract awards with specific contract amounts for the Controller's Bureau to program to track expenditures; and be it

**FURTHER RESOLVED:** That the City Council finds and determines based on the above determinations of the City Administrator, that the services provided pursuant to contracts 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 contracts shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA

**PASSED BY THE FOLLOWING VOTE:**

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

NOES-

ABSENT-

ABSTENTION-



FINANCE & MANAGEMENT CMTTE

JUN 08 2014

ATTEST:

\_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the  
Council of the City of Oakland, California