

ITEM # 29₍₄₎

ADDITIONAL MATERIAL

10:00 a.m. Regular Meeting

FEBRUARY 7, 2017

SUBMITTED AT THE REQUEST OF

**FINANCE and
ADMINISTRATIVE SERVICES
DEPARTMENT**



Finance and Administrative Services Department

PURCHASING DIVISION

115 S. Andrews Avenue, Room 212 • Fort Lauderdale, Florida 33301 • 954-357-6066 • FAX 954-357-8535

MEMORANDUM

DATE: February 6, 2017

TO: Board of County Commissioners

THRU: Kevin B. Kelleher, Deputy CFO/Deputy Director,
Finance and Administrative Services Department

FROM: Brenda J. Billingsley, Director
Purchasing Division

SUBJECT: February 7, 2017 - Commission Meeting - Agenda Item No. 29
Motion to Approve Final Ranking - Request for Proposals (RFP) No.
R1422515P1, Public Safety Radio APCO Project 25 700MHz
Communication System.

A handwritten signature in blue ink, appearing to read "Kelleher", is written over the "THRU" line of the memorandum.

Digitally signed by KEVIN
KELLEHER
Date: 2017.02.06
13:37:29 -05'00'

Digitally signed by BRENDA BILLINGSLEY
DN: dc=cty, dc=broward, dc=bc,
ou=Organization, ou=BCC, ou=PU, ou=Users,
cn=BRENDA BILLINGSLEY
Date: 2017.02.06 12:51:13 -05'00'

At the January 24, 2017 meeting, several Board members presented questions related specifically to Motorola Solutions, Inc. to be addressed when the item is scheduled to be presented for consideration. As part of the Cone of Silence Communication, attached please find Motorola's responses to the questions presented by the Board members.

Attachment

BJB/lg

c: George Tablack, CPA, Chief Financial Officer
Brett Bayag, Director, Office of Regional Communications and Technology
Kathie-Ann Ulett, Interim County Auditor
Joni Armstrong Coffey, County Attorney

Broward County Board of County Commissioners

Mark D. Bogen • Beam Furr • Steve Geller • Dale V.C. Holness • Chip LaMarca • Nan H. Rich • Tim Ryan • Barbara Sharief • Michael Udine
www.broward.org

Motorola's Responses Specific To Commissioner Geller's Questions

1.) If I am unwilling to start the process over or to have the commission act as the selection committee, do I have any reason to believe sending it back to the original selection committee will result in any change?

Motorola's position is that in the absence of any new requirements and in the absence of any new relevant information specific to either proposer's solution or capability; there would be no justification or expectation that any member of the evaluation committee would alter their original scoring.

Director Billingsley's letter rejecting the Harris protest was written with the support of the county attorney and provided a comprehensive response to each of the issues raised by the Harris representatives at the last County commission meeting. There are no new facts or new issues raised by any of the matters presented at the commission meeting by the Harris representatives. There is no basis, legal or factual that qualify as information that would allow this matter to be returned to the Evaluation Committee.

Under the county procurement code, if Harris had issues relating to the decision of director Billingsley and her letter rejecting the protest, Harris had a right of appeal which they failed to exercise. It is telling that Harris declined to file an appeal, but instead, chose to ask the Commission to intercede.

2.) Harris has raised the issue of the Motorola's failure to disclose legal cases. Does the county believe that any of the three cases mentioned by Harris are material and should have been disclosed?

The Motorola response to the Harris protest sets forth in great detail the information regarding the legal cases that were raised by Harris and fully vetted by the county attorney. Bear in mind that the disclosure of "material" litigation and review of that information by the county staff and the county attorney's office takes place prior to the evaluation committee making its finding that the vendors are responsive and responsible. The evaluation committee, after reviewing all of the information, found both vendors to be responsive and responsible. Harris did not appeal to the County's findings, waving the right to raise that issue under the Broward County procurement code and the process.

Both of the companies were deemed to be responsive and responsible by the evaluation committee. Consistent with section 21.118 – F of the procurement code, Harris is legally prohibited from raising the issue of the responsiveness or responsibility of Motorola.

However, Motorola acknowledges Commissioner Geller's concern with regard to the litigation history discussion. Motorola did provide litigation history with justification for each case why they are non-material, to our ability to deliver the products and services required to successfully

implement the proposed solution Broward County. In contrast, Harris Corporation disclosed a case that they actually deemed material specific to the City of Las Vegas. Following the termination of the contract between Harris Corp and the City of Las Vegas, Motorola expedited the implementation of an ASTRO 25 communication system.

Harris RFP Submission

County Memo

- Harris Corporation again disclosed one case as material: a dispute with the Las Vegas Metropolitan Police Department regarding a 2005 contract that resulted in litigation filed in 2013, which was settled in September 2015. Our searches did not indicate any additional state court cases; 8 additional federal cases were filed since the PACER report included in our March 18, 2016 memo (see **Exhibit 1** hereto).

3.) What effect, if any, did Harris' inability to access the proprietary code have on the scoring?

The technical demonstrations were composed of 160 individual demonstration line items. Both vendors were assessed as 100% compliant. This would suggest that it did not have any influence on technical scoring.

4.) Please explain the process for scoring the "Project Approach" portion of the evaluation, which accounted for 40 points of the final evaluation. It is my understanding that the technical committee could only evaluate whether or not each bidder met each particular criteria, reporting in a yes or no, or qualified or not qualified format and that the selection committee based their scores for the "Project Approach" portion on the report from the technical committee. If my understanding is correct, how could the scoring of this portion vary so widely?

Motorola's understanding of the scoring is based upon the published Evaluation Criteria, as described in detail and included in the RFP.

Evaluation Criteria

R1422515P1

Public Safety Radio APCO Project 25 700MHz Communication System

Project Approach: Total 40 Points

A) Completed Compliance Matrix (Appendix A). (Does the vendor indicate compliance with the specifications? Do any clarifications materially alter the intent of the specifications?) **10 points**

B) P25 System (Refer to specifications sections 2, 4, 6, 7, 8, 9, 10) - Does the vendor clearly identify their approach to the project? Have they clearly identified how the design will achieve the County's coverage and capacity requirements and performance guarantees? Have they identified how the system provides redundancies and eliminates single points of failure? Have they fully detailed the configuration and capabilities of their proposed dispatch console system? Have they provided a cutover strategy that reduces risk? Have they identified interoperability benefits of their system? Have they identified warranty, maintenance, and support programs? Have they provided a detailed project schedule? Have they provided a variety of mobile, portable, and control station

radio options for user agencies that provide the desired functionality at various competitive price points? **20 points**

C) Microwave System (Refer to specifications section 3) - Does the vendor clearly identify their approach to the microwave backhaul section? Have they clearly identified how the design will achieve the County's backhaul bandwidth and interface requirements? Have they provided a dualloop configuration with path studies to validate the feasibility of each path? Have they identified how the system provides redundancies and eliminates single points of failure? Have they provided a cutover strategy that reduces risk? Have they identified warranty, maintenance, and support programs? Have they provided a detailed project schedule? **5 points**

D) Facilities and Infrastructure (Refer to specifications section 5) - Does the vendor clearly identify their approach to the facilities and infrastructure development? Have they clearly identified how the site development schedule will align with the radio and microwave components? Have they considered implications for the existing sites, including shelter space, tower space, power, and HVAC to support both the old and new systems during cutover? Have they identified a strategy for retrofitting existing sites with the required DC power system? **5 points**

Motorola's Responses Specific To Commissioner Udine's Questions

1. Throughout the agenda item back up there is mention of the current "Premierone cad" and the ability of presenters to interact and demonstrate with the current system using the "API data" connection.

- Does Broward County own the current "Premierone cad" system?
Yes Broward County owns the current P1 system that is currently being implemented.
- Does Broward County have the ability to make the "API data" available?
Broward County has the right to request the API be made available from Motorola to another vendor. Harris nor any agent of Harris has ever requested information specific to the availability of the API before or during this RFP process.

2. Concerned about the concept that one system is being written on code that is older and not "the latest and greatest" technical code for this type of system. Has that been addressed and can you advise on this issue?

Motorola is uncertain where the concept "that one system is being written on code that is older and not the latest and greatest technical code..." Motorola has proposed our ASTRO 25 platform, which is the premier P25 solution on the market today and will be implemented at the most current software release.

3. There was mention about one system being "closed" source and one system being "open" sourced. Can you address this issue as it relates to the value and operability of the system, both now and in the future, for the County?

Motorola has proposed our ASTRO 25 platform which is in full compliance to the federal mandated P25 open architecture specifications. Motorola included Compliance Assessment

Program(CAP) and TI-102 Documentation in our proposal package to validate this specification was achieved. Both the Motorola and Harris technology proposed solutions are in full compliance of the P25 standards. It should be noted that Motorola has the unique ability to exceed the interoperability requirements of P25 affording a higher level of interoperability for Broward County than any other vendor.. This can be accomplished as a result of recent Motorola ASTRO P25 awards and implementations with key Broward County interoperability partners such: City of Coral Springs, City of Fort Lauderdale, City of Plantation and most recently Palm Beach County. Motorola's solution allows for full featured and seamless interoperability with these City and County agencies.

4. There were issues regarding the operability of the different systems in the event of power failures and severe weather incidents. Can you address this issue as it related to both vendors and their ability to deal with severe weather issue in light of South Florida climate and weather patterns?

Motorola proposed solution includes full redundancy at each site eliminating any single points of failure. In addition to the redundant system design, Motorola has included DC power battery back-up as well as onsite generators to ensure alternate electrical sources are readily available in the event of an electrical power failure.