


6-16-15  
PUR-3  
REVISED



**CITY OF FORT LAUDERDALE  
City Commission Agenda Memo  
REGULAR MEETING**

#15-0636

**TO:** Honorable Mayor & Members of the  
Fort Lauderdale City Commission

**FROM:** Lee R. Feldman, ICMA-CM, City Manager 

**DATE:** June 16, 2015

**TITLE:** REVISED PUR-3 Motion Authorizing Equipment Lease Purchase  
Upgrade for Public Safety Radio Communications System - Motorola  
Solutions, Inc. - \$4,187,540.90 (five-year cost)

**Recommendation**

It is recommended that the City Commission approve a proprietary, five-year Equipment Lease Purchase Agreement and a Sales Agreement, for equipment upgrades in substantially the forms attached, with Motorola Solutions, Inc., for the Motorola 12 Channel Association of Public Safety Communications Officials Project 25 (APCO P25) 800 MHz Trunked Radio System for a total amount of \$4,187,540.90, and authorize the Mayor and the City Manager to execute the agreements. The following items are included in the total amount:

- Lease Purchase Equipment - \$2,308,690.00
- Lease Purchase Financing at a rate of 2.39% - \$168,138.90
- Service Agreement and Hosted Master Site Agreement - \$1,693,400.00
- Performance Bond - \$17,312.00

It is recommended that the City Commission reject all proposals received in response to Request for Proposals No. 135-11167 pursuant to Subsection 2-180(5), Code of Ordinances of the City of Fort Lauderdale, Florida, and find that the public interest will be served thereby, as the cost of implementing the expanded scope contemplated in the solicitation is not currently financially feasible. This negotiated procurement is different in key aspects of equipment and services from the competitive bid in the previous solicitation, which did not result in an award.

Pursuant to Section 2-189, Code of Ordinances of the City of Fort Lauderdale, Florida, the City may purchase proprietary items, as defined in Section 2-173, without the necessity of public bids. The current radio system is proprietary to Motorola and only Motorola-trained and authorized contractors can perform work on the system, including this integration. Considering this is an integrated upgrade to the current system, and we have existing executed contracts and agreements with Motorola for radio operations, this purchase is proprietary.

## **Background**

The Information Technology Services (ITS) Department submitted a report (15-0413) at the April 7, 2015 City Commission conference meeting to update the Commission on the current status of the existing public safety radio communications system and to propose a five-year lease of a new system. The current radio system is proprietary to Motorola Solution Inc., and only Motorola-trained and authorized contractors can perform work on the system, including this integration.

An upgrade to a Project 25 radio system with Motorola Solutions, Inc. will allow for leverage of existing microwave and antenna components. The utilization of Motorola Solutions Inc., will ensure continual maintenance, technical support, and integrated components by one vendor which the City has relied upon for the last twenty three (23) years.

The City currently pays annual fees for the Microwave System, MERS (Mobile Emergency Radio System) Trailer PM (Preventative Maintenance) check, Subscriber Depot, Fire House Alerting System, existing system maintenance, and a HMS (Hosted Master Site) Port Fee. These expenditures are a part of our current operating budget and have existing executed agreements. In order to leverage cost savings, at the conclusion of the warranty period of the P25 Overlay Digital System, the Motorola ISolutions Service Agreement and Hosted Master Site Agreement will be incorporated into the Motorola Sales Contract, with a 5-year term. Staff will return for City Commission approval for the FY 16 Annual Service Agreement until the incorporation into the Motorola Sales Agreement takes effect

Staff believes that a five-year lease will allow and ensure continual operations for public safety employees. In addition, a five-year lease system would provide the City with more time to further determine the feasibility of using the County system, if and when it is upgraded.

The City Attorney's Office cautions that the contract documents anticipate the use of non-Motorola software. The associated software license agreements, which will probably be contracts of adhesion, likely will not be negotiated, and may contain provisions such as governing law being that of a different state, venue for disputes being outside the State of Florida, restrictions on use of the software, indemnification, and return or destruction of the software upon termination, which would be inconsistent with Florida law.

The following documents are retained in the Office of The Director of Information Technology Services:

- Motorola System Coverage Maps
- Motorola Configuration Drawing
- Motorola System Diagrams
- Motorola System Description
- Motorola Statement of Work

### **Resource Impact**

There will be a fiscal impact to the City of \$17,312 in FY15. There will be a fiscal impact to the City in the amount of \$495,400 in FY16. Future expenditures are contingent upon approval and appropriation of the annual budget.

<b>Funds available as of June 10, 2015</b>					
<b>ACCOUNT NUMBER</b>	<b>INDEX NAME (Program)</b>	<b>OBJECT CODE/ SUB- OBJECT NAME</b>	<b>AMENDED BUDGET (Object Code)</b>	<b>AVAILABLE BALANCE (Object Code)</b>	<b>PURCHASE AMOUNT</b>
331-P11520-6550	800 MHZ Public Safety Radio Reconfiguration	Capital Outlay  /Administration	\$514,830	\$470,905	\$17,312
<b>PURCHASE TOTAL →</b>					<b>\$17,312</b>

### **Strategic Connections**

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative included in the Public Safety Cylinder of Excellence

- Goal 9: Be the safest urban coastal City in South Florida through preventative and responsive police and fire protection;
- Objective 2: Provide quick and exceptional fire, medical, and emergency response

This item is also in furtherance of the *Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Ready*.

### **Attachments**

- Exhibit 1 – Equipment Lease Purchase Agreement
- Exhibit 2 – Motorola Sales Agreement
- Exhibit 3 – Motorola Proposal Letter
- Exhibit 4 – Motorola Title Page and Table of Contents
- Exhibit 5 – Motorola Coverage Methodology
- Exhibit 6 – Motorola Acceptance Testing
- Exhibit 7 – Motorola Warranty and Maintenance
- Exhibit 8 – Motorola Pricing Summary
- Exhibit 9 – Motorola Existing Maintenance Statement of Work
- Exhibit 10 – Motorola Equipment List
- Exhibit 11 – Services Agreement
- Exhibit 12 – Subscriber Depot List

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