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RECOMMENDATION APPROVED;  
RESOLUTION 20-9590 (C-123897 – 14<sup>th</sup> AMEND) ADOPTED  
BY THE BOARD OF HARBOR COMMISSIONERS

January 9, 2020



AMBER M. KLESGES

Board Secretary



Executive Director's  
Report to the

Board of Harbor Commissioners

DATE: DECEMBER 20, 2019

FROM: PORT POLICE 

SUBJECT: RESOLUTION NO. 20-9590 - FOURTEENTH AMENDMENT TO  
CONTRACT NUMBER C-123897 BETWEEN THE CITY OF  
LOS ANGELES AND MOTOROLA SOLUTIONS, INC. FOR THE  
PURCHASE AND INSTALLATION OF A 700 MHZ RADIO SYSTEM

**SUMMARY:**

Staff requests approval of a 14<sup>th</sup> Amendment to C-123897 (Amendment), the Master Service Agreement (Contract) between the City of Los Angeles (City) and Motorola Solutions, Inc. (Motorola), Schaumburg, Illinois. Approval of this Amendment is requested for the major upgrade/replacement of the public safety radio system. The 700 MHz system will replace the current Ultra High Frequency (UHF) system. Directed by the Middle Class Tax Relief and Job Recovery Act of 2012, all first responders have been mandated by the Federal Communications Commission (FCC) to switch over to the new frequencies by 2021.

This action will authorize a six-year contract term for an amount not-to-exceed \$16,571,878.70. This contract is the financial responsibility of the Harbor Department; however, portions of the project may be grant reimbursable through the Urban Area Security Initiative (UASI) and Port Security Grant Programs (PSGP).

**RECOMMENDATION:**

It is recommended that the Board of Harbor Commissioners (Board):

1. Find that the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II Section 2(f) of the Los Angeles City CEQA Guidelines;
2. Find that in accordance with the Los Angeles City Charter Section 1022, the services to be provided herein are of a professional, expert, technical, and of a temporary and occasional character, and there are no known Harbor Department personnel or current City job classifications with the expertise to perform the work being proposed for contracting;

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3. Find that in accordance with the Los Angeles City Charter Section 1022 and Los Angeles Administrative Code Section 10.15(a)(10) the proprietary nature of 700 MHz technology, especially the software, limits the availability of specialized expertise to only the particular system vendor, and the desire to utilize the same public safety system as the Los Angeles Police Department (LAPD) would make it undesirable or impractical to utilize another system vendor;
4. Approve the 14th Amendment to Contract Number C-123897 between the City of Los Angeles and Motorola Solutions, Inc.;
5. Direct the Board Secretary to transmit the Fourteenth Amendment to Agreement C-123897 to the Los Angeles City Council for approval pursuant to Section 373 of the Charter of the City of Los Angeles and Section 10.5 of the Los Angeles Administrative Code; and
6. Authorize the Executive Director to execute and the Board Secretary to attest to the Amendment upon approval by the City Council; and
7. Adopt Resolution No. 20-9590

**DISCUSSION:**

Background/Context – Port Police will be undertaking the development and installation of an upgraded radio system that will be operable with the newly approved 700 MHz frequencies. The new 700 MHz system will replace the current UHF system. Directed by the Middle Class Tax Relief and Job Recovery Act of 2012, all first responders are mandated by the FCC to switch over to the new frequencies by 2021.

This multi-phase upgrade project will bring a mission critical, best-in-class trunking radio system to the Harbor Department, and will provide a communications platform that provides direct connection and interoperability with neighboring agencies throughout the county and within the Harbor Department (i.e., Construction and Maintenance (C&M) and Port Pilots Divisions). The upgraded radio system will allow all Harbor Department users (i.e., Police Officers, Security Officers, Port Pilots and C&M) to have independent talking groups with Global Positioning System (GPS) capability to track and map all users. These functions will greatly enhance the safety and security of the Port and its stakeholders.

Work on this project will involve implementing the upgraded radio system infrastructure (including enhancing resiliency, redundancy and interoperability), enhancing mission critical radio system microwave communications, adding new and essential radio sites, implementing GPS functionality, and ultimately, deactivating the legacy UHF radio system by 2021. (See Transmittal 1)

Port Police has an additional 700 MHz radio system that was used by Port Police Security until last year. Based on need for interoperability with the Port Police operating on UHF and limited coverage issues, Port Police Security was transitioned to the Port Police UHF radio system. The 700 MHz radio system is now being used temporarily by C&M Division

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who required a voice communications system for their mobile staff.

Those 700 MHz frequencies will be repurposed to the new Port Police radio system where Port Police, Port Police Security, C&M and Port Pilots will all be moved to the upgraded Port Police radio system operating at 700 MHz. This will facilitate communication between these divisions in the event of an unusual occurrence or special event requiring interoperability.

The contract amount is inclusive of a three-year commitment for maintenance and support at a total cost of \$3,988,675.65. The cost for maintenance and support will begin after the one-year of included maintenance/support and will be invoiced separately in each of the appropriate fiscal years (FYs) beginning in FY 23/24.

Phase I costs, in the amount of \$5,734,963.92, are wholly Port-absorbed with no potential for grant reimbursement. Phase II costs incurred from the date of the notice to proceed, which is issued by the Mayor's Office, through December 1, 2020, will be reimbursed under UASI FY 2018. Additionally, the Mayor's Office is currently in the application process with the California Office of Emergency Services (CalOES) for UASI FY 2019 for Phase III; however, because UASI FY 2019 is still in the application phase, the reimbursement period cannot be determined at this time.

Beyond equipment purchase and installation, there are ongoing costs associated with operating and maintaining the 700 MHz radio system. Post project completion, Port Police will request funding, to be budgeted annually, for three years of extended warranty and system upgrade costs.

The Harbor Department may purchase the 700 MHz system and services as an Eligible Purchaser under the City's Contract with Motorola. The Contract requires that the proposed Harbor Department order of systems and services under its terms be in the form of an Amendment.

Selection Process – Given the Port Police's desire to fully integrate with the LAPD's radio system, it would be undesirable and impractical to utilize another system vendor given the proprietary information and technology involved in the systems and with other public safety agencies in Los Angeles County. The Harbor Department identified an existing contract, No. C-123897 (See Transmittal 2), between the City and Motorola, which allows for other City departments to use the Contract to make purchases of services as "Eligible Purchasers." After review by the City Attorney's Office and the Contract Manager for the LAPD, it was determined that the purchase of systems and services under the Contract could be made by the Harbor Department through the Fourteenth Amendment to Contract No. C-123897 (Transmittal 3). At the time of contract, the LAPD and City Attorney determined that a sole-source contract with Motorola was justified and critical to maintaining its communications systems given the proprietary information and technology involved.

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**ENVIRONMENTAL ASSESSMENT:**

The proposed action is the approval of the 14<sup>th</sup> Amendment to Contract Number C-123897 with Motorola Solutions, Inc., which is an administrative activity. This action is limited to the administrative approval of the Amendment to the Contract. Individual project elements will be subject to separate environmental review. Therefore, the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of CEQA in accordance with Article II Section 2(f) of the Los Angeles City CEQA Guidelines.

**FINANCIAL IMPACT:**

Approval of the Amendment and the commitment for maintenance and system upgrades would result in aggregate authorized expenditures of \$16,571,878.70 over the six-year contract term including the three-year extended warranty and system upgrade period. Funding for the capital portion of the work is budgeted in FY 19/20 in the amount of \$5,563,333 within Center No. 1179, Program No. 641, and Accounts 54510, 54310, 59994 as listed in the table below. Future FY funding will be requested as part of the annual budget.

<b>WO 2542100</b>	<b>Center</b>	<b>Program</b>	<b>Account</b>	<b>FY 19/20</b>	<b>FY 20/21</b>	<b>FY 21/22</b>	<b>Total</b>
	1179	641	54510	\$0.00	\$720,350.55	\$0.00	\$720,350.55
	1179	641	54310	\$3,828,835.00	\$1,000,000.00	\$472,238.15	\$5,301,073.15
	1179	641	59994	\$1,734,498.00	\$2,827,281.35	\$2,000,000.00	\$6,561,779.35
<b>Subtotal</b>				<b>\$5,563,333.00</b>	<b>\$4,547,631.90</b>	<b>\$2,472,238.15</b>	<b>\$12,583,203.05</b>
<b>WO 2542100</b>	<b>Center</b>	<b>Program</b>	<b>Account</b>	<b>FY 23/24</b>	<b>FY 24/25</b>	<b>FY 25/26</b>	<b>Total</b>
Extended Warranty	0412	000	54030	\$783,342.58	\$806,842.85	\$831,048.14	\$2,421,233.57
System Upgrade	0412	000	54030	\$519,667.55	\$522,452.59	\$525,321.94	\$1,567,442.08
<b>Subtotal</b>				<b>\$1,303,010.13</b>	<b>\$1,329,295.44</b>	<b>\$1,356,370.08</b>	<b>\$3,988,675.65</b>
<b>Grand Total</b>				<b>\$6,866,343.13</b>	<b>\$5,876,927.34</b>	<b>\$3,828,608.23</b>	<b>\$16,571,878.70</b>

The amounts shown above are inclusive of system discounts as referenced in the Pricing Summary of the Motorola scope and maintenance document. Additionally, there is a three-year commitment for extended warranty and support at a cost of \$3,988,675.65. The extended warranty and support costs are in addition to the system costs and are

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delineated in the table above. The three-year extended warranty term will begin at the conclusion of the initial one-year warranty period.

A funding out clause, also known as a termination of agreement for non-appropriation of funds clause, has been included in the proposed Amendment.

**CITY ATTORNEY:**

The Office of the City Attorney has reviewed and approved the Amendment to Contract No. C-123897 as to form and legality.

**TRANSMITTALS:**

1. Motorola Solutions Mission Critical Radio System
2. Contract No. C-123897
3. Fourteenth Amendment to Contract No. C-123897

FIS Approval: MB  
CA Approval: hpr



RANDY ALLEN  
Deputy Chief of Police



THOMAS E. GAZSI  
Chief of Public Safety and  
Emergency Management

APPROVED:

 FOR

EUGENE D. SEROKA  
Executive Director

TEG:RA:cj  
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