

MEMORANDUM

To: City Council

From: David Deutsch
City Manager

Subject: Request to Waive Bidding Requirements of Section 61 of City Charter to Allow the City Manger to Contract for Services for the Police Department with a Company Granted a Sole Source Authorization from the City's Grantor, the U.S. Department of Justice (USDOJ) – Resolution R-67-90

Date: December 7, 2009

The City of Bowie has received a grant from the U.S. Department of Justice (USDOJ) in the amount of \$467,650.00 for the purchase of hardware, software, and other services to equip the Bowie Police Department with Encrypted Portable and Mobile Radios. A major vendor for this equipment, Motorola, Inc. of Schaumburg, IL, is currently providing these systems to the Prince George's County Police Department which is the central point of interoperability control and command for the County. The USDOJ grant will fully support fifty (50) Encrypted Portable and fifty (50) Encrypted Mobile Radios.

The City's grant request to USDOJ pointed out the following:

"On February 12, 2007 the City of Bowie held a swearing in ceremony for its first six Police Officers. Today the City has 32 sworn Police Officers and an administrative staff of 4 civilian personnel. The City has reached a critical juncture regarding its communications capability and is preparing for a conversion to a new 800 MHz system to provide compatibility with that of Prince George's County. This system will also provide accessibility for the Bowie Police Department to all jurisdictions within Maryland, the District of Columbia, and Virginia."

"The award will enable the City to purchase state of the art Project 25 specified FDMA (Frequency Division Multiple Access) digital technology through cooperative purchasing arrangements with Prince George's County. It will provide funding for 59 Land Mobile Radios (mobile and hand held). Prince George's County has already begun its upgrading activities for its radio system to 800 MHz to achieve the needed level of interoperability. Once completed, the improved system will have a positive impact on the day-to-day missions of each Public Safety agency and the needs of Homeland Security. The County plans to purchase the Motorola "APX, TDMA" 700/800 MHz system. The County's negotiations with Motorola include facilities for all municipalities in Prince George's County."

On May 20, 2009, Mr. Andrew A. Dorr, Assistant Director for Grant Administration, USDOJ Office of Community Oriented Policing Services (COPS), approved the City's request for "Sole Source Procurement" with Motorola, Inc. and authorized the City to contract with Motorola, Inc.

for the Encrypted Radios that complies with Motorola's contract with Prince George's County and the Metropolitan Council of Government's Rider Clause that permits COG'S members to piggyback on certain contracts (See Attachment A).

DISCUSSION: Staff has evaluated the Motorola system and concludes that Motorola will enable them to meet their obligations of local and regional interoperability and fulfill its requirements for the grant with USDOJ.

RECOMMENDATIONS: We recommend that Council adopt Resolution R-67-09 and authorize the Waiver of Section 61 of the City Charter in order to purchase encrypted mobile and portable radio service from Motorola, Inc. of Schaumburg, Il.

JB

**RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
WAIVING THE BIDDING REQUIREMENTS OF SECTION 61 OF THE CITY CHARTER TO
ALLOW THE CITY TO ENTER INTO A CONTRACT WITH MOTOROLA, INC., FOR
ENCRYPTED MOBILE AND PORTABLE RADIOS BASED UPON THE SOLE SOURCE
AUTHORIZATION PROVIDED BY THE U.S. DEPARTMENT OF JUSTICE AND
AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THOSE
SERVICES**

WHEREAS, the Charter of the City of Bowie, Maryland (hereinafter, "the City") requires, in Section 61, that all expenditures for, inter alia, materials, construction of public improvements or contractual services involving more than ten thousand dollars be made by written contract upon sealed bids to the lowest responsive bid, except where the City Council by a two thirds vote waives the bidding requirements for good cause shown; and

WHEREAS, the City is in need of procuring Encrypted Portable and Mobile Radios for the City's Police Department; and

WHEREAS, the City has received a grant from the U.S. Department of Justice for the procurement of encrypted portable and mobile radios; and

WHEREAS, it is estimated that the total price for the work in question will exceed ten thousand dollars; and

WHEREAS, it has come to the City's attention that Motorola, Inc. is the vendor providing the same services to the Prince George's County Police Department; and

WHEREAS, the U.S. Department of Justice has authorized the City to enter into a "Sole Source" procurement relationship with Motorola, Inc.; and

WHEREAS, the City Council deems the aforestated economic efficiencies to constitute good cause to waive the bidding requirements otherwise required by the Charter.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, Maryland, upon a two thirds vote, that the bidding requirements of Section 61 of the City Charter are hereby waived with respect to Ecitation Electronic Ticketing services, to allow the City to enter into a contract with Motorola, Inc. of Schaumburg, Illinois, for the procurement of hardware, software, and

other services, at a price of \$479,350.00 and the City Manager is authorized to enter into an agreement with that company for the services in substantially the form as that attached hereto as Exhibit A.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a Meeting on December 7, 2009 by a vote of at least two-thirds of the members of the Council.

WITNESS: THE CITY OF BOWIE, MARYLAND

Pamela A. Fleming
City Clerk

G. Frederick Robinson, Mayor