



## Legislation Text

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**File #:** 18-0247, **Version:** 1

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Resolution Determining Motorola Inc. to be the Only Source Practically Available From Which to Procure Motorola Maintenance, Service, and Support for the Current City-Wide Radio System for the City of Hampton

### **PURPOSE/BACKGROUND:**

The purpose of this resolution is to determine Motorola Inc. to be the only source practically available from which to procure Motorola maintenance, service, and support for the current City-wide radio system.

### **Discussion:**

In 2007, the City of Hampton purchased a Motorola radio system off a cooperative procurement contract from Virginia Beach. The system was built from the ground up to be reliable, supported, and upgradeable. Under this existing contract, Motorola provides radio system monitoring 24-hours per day, 365-days per year as well as support services providing regular security and software program updates. This includes updates to servers, switches, and security appliances. Aging infrastructure equipment is also replaced during these upgrades. Motorola is the only vendor that can provide support for their custom-built radio system.

The City of Hampton currently contracts with Motorola to provide a city-wide radio system. This radio system must be operational and reliable for Police, Fire, Sheriff, and 911. Hampton City Schools, Public Works, and other City departments also rely on this system to provide services to citizens. Continued maintenance, service, and support of the system is necessary to maintain the operations of critical radio communications. Motorola provides the custom software for the system the City utilizes.

The support needed for this radio system can only be provided by Motorola; no other vendors have the ability to support the Motorola system and software with 24x7 monitoring and short on-site response time. Sustaining a system of this size and with such a high degree of dependability would not be practical without the execution of a new contract to allow Motorola to continue providing maintenance, service, and support. The City has invested millions of dollars into the existing Motorola system. The alternative to contracting with Motorola for maintenance, service, and support is to start over with a replacement of the entire radio system. This is not practical or advised.

### **Impact:**

A contract with Motorola would be for a 10-year term with purchase of maintenance services occurring on an annual basis. The increase in cost per year is offset by an accelerating discount for each year the City continues to appropriate funds for this maintenance contract. The first year of the contract the City would pay \$948,111.29. The tenth year of the contract the City would pay

\$1,318,359.99. Total cost for 10 years is \$11,016,839.53, excluding applicable sales or use taxes.

**Recommendation:**

Approve the Resolution.

**WHEREAS**, the Hampton City Council previously adopted a Resolution, File Number 08-0515, approving use of Motorola Inc. (“Motorola”) to provide for the execution and delivery of an emergency communications system;

**WHEREAS**, Motorola has built a custom city-wide radio system which was under contract since February 2009 and in use since March 2011;

**WHEREAS**, Motorola provides radio system monitoring 24 hours per day, 365 days per year as well as support services providing regular updates to servers, switches, and security appliances and software program updates which allows the City to provide a city-wide radio system for Police, Fire, Sheriff, 911, Hampton City Schools, Public Works, and other City departments in order to perform essential City functions;

**WHEREAS**, the features of Motorola’s software are proprietary and can only be provided by Motorola;

**WHEREAS**, converting the current city-wide radio system to another vendor’s radio system would be impractical and costly due to the need to replace the entire radio system, including new software and equipment; and

**WHEREAS**, City departments have implemented specific processes that utilize the current system and changing systems could result in loss of critical functionality with the risk of potential negative effects to public safety due to the absolute necessity of having a reliable and consistently operable city-wide radio system that interfaces with multiple City departments at once.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HAMPTON, VIRGINIA:**

1. That the new contract between the City and Motorola Inc. may be negotiated and renewed as the “sole source” without competitive sealed bidding or competitive negotiation as set forth in Code of Virginia §2.2-4303(E);
2. That the City Manager or her authorized designee is hereby authorized to negotiate and execute the service and maintenance contract with Motorola Inc.; and
3. That the notice awarding the contract to Motorola Inc. shall be posted in a public place pursuant to Code of Virginia §2.2-4303(E).