

DEPARTMENT OF INFORMATION TECHNOLOGY  
ACTION AGENDA

**ITEM: 3-IT**

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**DEPARTMENT:** Information Technology

**CONTRACT ID:** Statewide Public Safety Wireless Communications System  
ADPICS No. 060B9800036

**DESCRIPTION:** Provide integrated Statewide public safety wireless communication system. System will be the primary radio communication system for public safety first responders throughout the State built in five phases. Funding has been identified for the first phase (\$50.7M) which will build a turn-key radio system to replace Maryland Transportation Authority's existing system. Funding for future phases will be budgeted as part of the State's Capital Investment Plan. Once completed, this radio system will be the primary operating radio system for all State agencies, providing a communications platform for 16 State operating units and allowing for seamless interoperability among State users. The radio system will also provide interoperability among State and local first responders and leverage infrastructure investments made by county governments and federal grants. This is providing an interoperable backbone to first responders at all levels of government. The radio system uses the Public Safety 700 MHz spectrum licensed to the State by the FCC. The terms of this license require demonstrated use of the Public Safety 700 MHz spectrum by January 1, 2012.

**AWARD:** Motorola, Inc., Columbia, MD

**TERM:** 11/18/2010 – 11/17/2018 (w/seven 1-year renewal options)

**AMOUNT:**

\$345,000,000 Base Period (8 Yrs.)
20,000,000 (Option Yr. 1)
20,000,000 (Option Yr. 2)
20,000,000 (Option Yr. 3)
20,000,000 (Option Yr. 4)
20,000,000 (Option Yr. 5)
20,000,000 (Option Yr. 6)
<u>20,000,000 (Option Yr. 7)</u>
\$485,000,000 Total

**PROCUREMENT METHOD:** Competitive Sealed Proposals

**INCUMBENTS:** None

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<b>PROPOSALS:</b>	<u>Technical Rank</u>	<u>Financial Offer*/Rank</u>	<u>Overall Rank**</u>
Motorola, Inc.	1	\$225,664,392 (1)	1
ARINC Incorporated	2	\$235,741,837 (2)	2

\* Financial offer came from a weighted-average model submitted by the offerors.

\*\* Technical factors had greater weight than financial factors in the overall award.

**MBE PARTICIPATION:** 20.04% of contract amount that does not include subscriber equipment amount.

**REMARKS:** In accordance with COMAR 21.10.02.11 this is a request to approve a contract in face of protest to protect substantial state interest. Interoperable Communications is the number one “Core Goal” for Maryland’s homeland security preparedness. Any further delay risks the State’s ability to retain its Statewide 700 MHz FCC license to be used for an interoperable radio system.

A notice of the availability of the Request for Proposals was advertised on *eMarylandMarketplace.com* and the DoIT website. Through *eMarylandMarketplace.com*, 96 prospective firms were solicited. In addition, 69 firms that were known to have offered similar services were emailed the RFP directly. Of these firms, 20 are certified Minority Business Enterprises and 43 are Maryland firms. A copy of the RFP was sent to the Governor’s Office of Minority Affairs. DoIT received three proposals. One proposal was deemed not reasonably susceptible of being selected for award. The remaining two proposals were evaluated. The Motorola, Inc. proposal was ranked number one technically and number one financially. Therefore, Motorola’s overall proposal was determined to be the more advantageous offer to the State.

In the past, jurisdictions and agencies have built stand alone systems that met individual agency needs. However, the deployment of independent non-integrated systems throughout the State (owned and operated by State, county, and local agencies) has created situations that hamper cross-jurisdictional and cross-discipline (*e.g.*, police, fire, EMS, transportation) communications. In Maryland, radio communication interoperability among State agencies and localities is hampered by the use of different operating frequency bands, technologies, and system architectures. These systems are generally voice only and do not support mobile data applications. This new system will provide interoperable communications. This is the ability for first responders to transmit voice and data communications seamlessly and in real-time, when needed, regardless of agency or jurisdictional boundary. When communications systems are interoperable, police and firefighters responding to a routine incident or a catastrophic emergency can talk to and share information with each other to coordinate efforts and work effectively together.

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**ITEM: 3-IT** (cont'd)

**REMARKS:** (cont'd)

Many State agency voice systems will need to be replaced within the next five years as they reach the life-cycle end and must meet the FCC narrow banding deadline. The State will implement this enterprise solution by the Statewide Public Safety Wireless Communication System that supports: operable and interoperable public safety voice, low speed data communications, and Homeland Security. The State will use this integrated Statewide Public Safety Wireless Communication System as the primary radio communication system for State agencies. Local and municipal first responders may also use the system for primary radio communications. The system will provide voice and low-speed data interoperability among its primary users and other public safety agencies to support Day-to-Day, Mutual Aid, and Task Force operations.

For this contract, DoIT determined that subcontracting opportunities were available in computer/telecommunications equipment installation, in tower construction, in tower equipment installation, in field staging, and in system testing. At the same time, DoIT determined there was little or no opportunity for subcontracting subscriber equipment. Accordingly, the RFP set the MBE participation goal at 12% based upon the subcontracting opportunities for the former types of work; the RFP did not include subscriber equipment in the MBE goal. Contractor has committed to an MBE participation goal of 20.04% of the contract value that excludes the value of the subscriber equipment.

ARINC Inc protested the initial award of this procurement. On March 5, 2010 and March 10, 2010, ARINC Inc. sent protest letters to the State. On April 2, the State of Maryland denied the ARINC Inc. protests. On April 12, ARINC Inc. filed an appeal with the Maryland State Board of Contract Appeals (Docket No. MSBCA 2707). On October 7, the MSBCA granted the State's motion to dismiss the appeal.

DoIT will award (i.e issue a Notice to Proceed) only Phase 1-Region 1A at this time. DoIT will return to the Board for approval to award (i.e. issue notice to proceed) each successive Phase, as funding becomes available.

**FUND SOURCE:** Capital Funds – Phases/regions will be started as funding becomes available.

Phase 1 Region 1-A funded as follows:

	\$22,000,000 MdTA (MA859-000-002)
	\$14,500,000 SHA (Fund 38)
	<u>\$14,200,000 GO Bond (FY11)</u>
	\$50,700,000

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 10-3609-1111

The Board of Public Works deferred this Item as DoIT Item 4-IT on 10/20/10.  
DoIT withdrew this Item as Item DoIT 3-IT on 11/3/10.

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**BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:**

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION