

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL
REJECTING ALL BIDS FOR FIRE DEPARTMENT PORTABLE MULTIBAND
RADIOS AND EQUIPMENT AND APPROVING, AND AUTHORIZING THE CITY
MANAGER TO PURCHASE, MULTIBAND RADIOS AND EQUIPMENT FOR THE
POLICE AND FIRE DEPARTMENTS THROUGH THE SILICON VALLEY RADIO
COMMUNICATION SYSTEMS PROJECT COOPERATIVE AGREEMENT FOR AN
AMOUNT NOT TO EXCEED \$960,029**

WHEREAS, in 2010, the City of Morgan Hill (the "City") entered into the Joint Powers Agreement for the creation of Silicon Valley Regional Interoperability Authority ("SVRIA"); and

WHEREAS, the SVRIA is dedicated to the creation, implementation, operation, and sustainability of regional interoperability and communications projects in Santa Clara County; and a current project of the SVRIA is the Silicon Valley Regional Communication System ("SVRCS"); and

WHEREAS, the SVRCS is a County-wide initiative dedicated to establishing interoperable radio systems for public safety agencies within Santa Clara County; and

WHEREAS, in December 2014, City Council adopted a resolution establishing a funding strategy for the purchase of SVRCS compatible radio equipment in the amount of \$1,600,767; and

WHEREAS, in December 2014, the City and the South Santa Clara County Fire Protection District ("District") applied for a regional grant through the Federal Emergency Management Agency ("FEMA") Assistance to Firefighters ("AFG") Program under Application #EMW-2014-FR-0084 (Telecommunications and Other Equipment) in order to receive essential equipment for firefighter operations and, in August 2015, pursuant to Resolution No. 15-186, City Council approved an MOU between the City and the District for the purchase of equipment using the grant funds and the distribution of the equipment; and

WHEREAS, in November 2015, City Council adopted a resolution accepting the grant award and appropriating \$484,819 for associated grant expenditures and activities and in December 2015, City Council authorized the first of several purchases for the equipment funded under this grant award; and

WHEREAS, Fire Department staff published a Request for Proposals ("RFP") for a portable multiband radio purchase on January 14, 2016 along with an addendum on January 21, 2016; and

WHEREAS, Fire Department staff received responses to the RFP from three separate vendors and reviewed the proposals on February 1, 2016; and

WHEREAS, this RFP was issued prior to the Fire Department being aware that a competitive bid process had already occurred through a RFP by the SVRIA in September 2012, which the City also participated in; and

WHEREAS, through this RFP for the radio provider, Motorola was selected as the preferred vendor; and

WHEREAS, staff recommends the rejection of competitive bids for Fire Department portable multiband radios and proceeding with purchasing Motorola equipment in order to further regional consistency as part of the SVRIA interoperability effort; and

WHEREAS, City code permits the selection of other than the lowest bid; and

WHEREAS, the SVRIA partner agencies in South County are already using Motorola equipment; and

WHEREAS, the City's commitment to the use of Motorola products will enable the City to have a common operating platform with its partner agencies; thus allowing for ease of maintenance and training as well as for auto and mutual aid situations; and

WHEREAS, the Motorola radios are authorized for use in mutual aid situations by FIRESCOPE (Firefighting Resources of California Organized for Potential Emergencies); and

WHEREAS, originally, the SVRCS project timeline projected that the Morgan Hill area would not be ready for activation until 2017 and the timeline has been accelerated with a new activation target date of July 2016; and

WHEREAS, staff recommends that the Council authorize the City Manager to purchase the portable and mobile multiband radios and equipment (base station (console) and mobile repeater) cooperatively using the County of Santa Clara contract under the authority of Morgan Hill Municipal Code Section 3.04.150(2); and

WHEREAS, the Police Department desires to purchase 65 portable and 35 mobile multiband radios for a total of \$558,165 and the Fire Department desires to purchase 54 portable and seven mobile multiband radios, four base stations (consoles) and one mobile repeater for a total of \$401,864, for a total purchase from Motorola of \$960,029; and

WHEREAS, this purchase is fully funded through the Equipment Replacement and Fire Impact Funds and no appropriations are needed at this time; and

WHEREAS, the Fire Department equipment will be distributed in accordance with the MOU between the City and the District and the District will later reimburse the City for its share of the radio and equipment purchase, which is estimated to be \$37,985, after the grant reimbursement; and

WHEREAS, further reasons supporting the multiband radio and equipment purchase described in, and that is the subject of, this Resolution are set forth in detail in that certain City Council Staff Report entitled "Silicon Valley Regional Communication Systems" submitted for City Council consideration at its meeting of May 18, 2016, submitted to the City Council by the City Manager (the "Staff Report"), the contents of which Staff Report are incorporated herein by this reference; and

WHEREAS, the consideration by City Council of the adoption of this Resolution has been duly noticed pursuant to applicable laws and has been placed upon the City Council Meeting Agenda on the date set forth in the Staff Report, or to such date that the City Council may have continued or deferred consideration of this Resolution, and on such date the City Council conducted a duly noticed public meeting at which meeting the City Council provided members of the public an opportunity to comment and be heard and considered any and all testimony and other evidence provided in connection with the adoption of this Resolution; and

WHEREAS, the activities allowed under this Resolution do not constitute a project under the provisions of California Environmental Quality Act of 1970; and

WHEREAS, the City Council determines that adoption of this Resolution is in the public interest.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

Section 1. Recitals. The City Council does hereby find, determine and resolve that all of the foregoing recitals are true and correct.

Section 2. Approval and Authorization. The City Council does further resolve, order and/or direct as follows:

- a. That the bids received from the Fire Department's RFP for portable multiband radios are hereby rejected; and
- b. That, pursuant to Morgan Hill Municipal Code Section 3.04.150(2), the City Manager is authorized to purchase 65 portable and 35 mobile multiband radios for the Police Department and 54 portable and seven mobile multiband radios, four base stations (consoles) and one mobile repeater for the Fire Department cooperatively using the County of Santa Clara contract for a total purchase not to exceed nine hundred seventy five thousand one hundred sixty four dollars (\$960,029); and
- c. That the City Manager is hereby delegated authority to and is authorized to take all other ministerial actions that may be necessary or appropriate to implement the provisions of this Resolution.

Section 3. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at its meeting held on this 18th day of May, 2016 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

COUNCIL MEMBERS:
COUNCIL MEMBERS:
COUNCIL MEMBERS:
COUNCIL MEMBERS:

DATE: _____

Steve Tate, MAYOR

∞ CERTIFICATION ∞

I, Irma Torrez, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. XXXX , adopted by the City Council at the meeting held on May 18, 2018.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

Irma Torrez, CITY CLERK