

*STAFF REPORT**CITY OF OCEANSIDE*

DATE: December 1, 2021

TO: Honorable Mayor and City Councilmembers

FROM: Police Department

SUBJECT: **APPROVAL OF A BUDGET APPROPRIATION TO THE POLICE DEPARTMENT AND APPROVAL OF A PURCHASE ORDER FOR UPGRADED ENCRYPTION CAPABLE MOBILE RADIOS AND ENCRYPTION SOFTWARE KITS FOR THE POLICE DEPARTMENT**

SYNOPSIS

Staff and the Police and Fire Commission recommend that the City Council authorize a budget appropriation in the amount of \$142,151 from the Evidence Trust Fund to the Police Department and approve a purchase order in the amount of \$293,027 to Motorola Solutions for the purchase of upgraded replacement mobile radios that are encryption capable and multi-key, Advanced Encryption Standard (AES) software upgrade kits for the Police Department, and authorize the Financial Services Director, or designee, to execute the purchase order.

BACKGROUND

Federal and State law prohibit the radio transmission of Personal Identifying Information (PII) on any radio frequency that is not encrypted. Further, these laws and the relevant policies of the Federal Bureau of Investigations (FBI) and California Department of Justice (CA DOJ) limit the amount and type of information that can be broadcast over unencrypted radio channels in order to protect sensitive Criminal Justice Information (CJI) and PII.

PII is information that can be used to distinguish or trace an individual's identity, such as an individual's first name, or first initial, and last name in combination with any one or more specific data elements. Data elements include Social Security number (or any part of), passport number, date of birth, military identification number and other unique ID numbers issued on a government document. The most common data elements encountered during field operations include a driver license number or ID number.

Furthermore, the CA DOJ previously gave all California Law Enforcement Telecommunications System (CLETS) subscribing agencies until December 31, 2021 to be compliant with these established requirements (ref: DOJ Information Bulletin 20-09-CJIS).

ANALYSIS

The Police Department currently has twenty-nine (29) mobile radios that are unencryptable. Those 29 radios need to be replaced with mobile radios that are encryption capable. Additionally, the department has two-hundred fourteen (214) encryption capable mobile and portable radios that need to have multi-key and AES encryption software installed into them. The replacement of unencryptable radios and the installation of encryption software into those radios that are encryption capable, would bring the department's inventory of mobile and portable radios into compliance with State and Federal law.

The Evidence Trust Fund will be used to fund the radio purchase. In the normal course of operations, the Police Department comes into possession of money that is subsequently placed into an evidence trust fund. The sources of the funds include evidentiary seizures as part of criminal investigations, money that is collected as found property, or money that is held for safe keeping. Pursuant to Government Code Sections 50050 through 50053, after a three-year period from the date the funds came into the possession of the Police Department, unclaimed money can be used to purchase equipment for the Police Department. All statutory requirements have been met in order to utilize these funds, which includes notices mailed to rightful owners, the publication of notices in a local newspaper, and the expiration of the three-year period from the original date of seizure.

The total cost to purchase upgraded replacement mobile radios that are encryption capable and multi-key, AES encryption software upgrade kits for the Police Department is \$293,027, and will be funded through the Evidence Trust Fund and the Fleet Replacement Fund.

FISCAL IMPACT

The total cost of this project is \$293,027. The total cost to replace the encrypted radios with Motorola Solutions, Inc. is \$150,876 and will be charged to the Fleet Replacement account 620609831.5705, which has a current available balance of \$1,023,037. The total cost for the 214 radios needed for software installation with Motorola Solutions, Inc. is \$142,151. Staff is requesting an appropriation in the amount of \$142,151 to the revenue account 500517101.4501 and to the expenditure account 500517101.5330 of \$142,151 and will be funded by the Evidence Trust Fund account 101.2090.0045. The Evidence Trust Fund account currently has an available balance of \$436,442. Therefore, sufficient funds are available.

COMMISSION OR COMMITTEE REPORT

The Police and Fire Commission recommended approval of this item at its meeting held on November 18, 2021.

CITY ATTORNEY'S ANALYSIS

City Attorney analysis does not apply.

RECOMMENDATION

Staff and the Police and Fire Commission recommend that the City Council authorize a budget appropriation in the amount of \$142,151 from the Evidence Trust Fund to the Police Department and approve a purchase order in the amount of \$293,027 to Motorola Solutions for the purchase of upgraded replacement mobile radios that are encryption capable and multi-key, AES encryption software upgrade kits for the Police Department; and authorize the Financial Services Director, or designee, to execute the purchase order.

PREPARED BY:



Kedrick Sadler
Police Captain, Support Operations

SUBMITTED BY:



Deanna Lorson
City Manager

REVIEWED BY

Fred Armijo, Chief of Police
Jill Moya, Interim Financial Services Director
Hamid Bahadori, Interim Public Works Director



QUOTE TO: Oceanside Police Dept - Kimberly Watson 760-435-4900

PREPARED BY: Andy Grimm 858-864-3660

agrimm@daywireless.com

DATE: May 13, 2021

Quote Valid through June 30, 2021

Quote # QU0000777222AGREV001

**MOTOROLA SOLUTIONS**

*Line #	Qty	Part Number	Item Description	List Price	Unit Discounted Price	Total Extended Discount Price
APX6500 Mobile Radio Single E5 Head - WITH ENCRYPTION						
1		M25URS9PW1BN	APX6500 7/800 MHZ MOBILE RADIO	\$2,738.00	\$1,711.25	For Car/SUV
1a		W22BA	ADD: PALM MICROPHONE	\$72.00	\$45.00	Standard Mobiles
1b		G806BE	ENH: ASTRO DIGITAL CAI OP APX	\$515.00	\$321.88	
1c		GA01670	ADD: APX E5 CONTROL HEAD	\$572.00	\$357.50	
1d		G67BC	ADD: REMOTE MOUNT MID POWER	\$297.00	\$185.63	
1e		G444AE	ADD: APX CONTROL HEAD SOFTWARE	\$0.00	\$0.00	
1f		G361AH	ADD: P25 TRUNKING SOFTWARE	\$300.00	\$187.50	
1g		G51AU	ENH: SMARTZONE OPERATION APX6500	\$1,200.00	\$750.00	
1h		G335AW	ADD: ANT 1/4 WAVE 762-870 MHZ	\$14.00	\$8.75	
1i		B18CR	ADD: AUXILIARY SPKR 7.5 WATT	\$60.00	\$37.50	
1j		GA00580AA	ADD: TDMA OPERATION (P25 PHASE 2)	\$450.00	\$281.25	
1k		GA00235AA	ADD: NO GPS ANTENNA NEEDED	\$0.00	\$0.00	
1l		G996AS	ADD: OVER THE AIR PROGRAMMING (OTAP)	\$100.00	\$62.50	
1m		W599BF	ADD: 8 MODE DEK BOX	\$180.00	\$112.50	
1n		W969BG	ADD: MULTIPLE KEY ENCRYPTION OPERATION	\$330.00	\$206.25	
1o		G851AG	ADD: AES/DES ENCRYPTION	\$799.00	\$499.38	
1p		GA01606AA	ADD: NO GPS/WI-FI ANTENNA NEEDED	\$0.00	\$0.00	
1q		G78	3 YR WARRANTY - ESSENTIAL SERVICE	\$168.00	\$0.00	
	21	TOTAL APX6500 MOBILE SINGLE E5 HEAD WITH ENCRYPTION		\$7,795.00	\$4,766.89	\$100,104.69
APX6500BN MOBILE WITH O3 INVESTIGATIONS HEAD - WITH ENCRYPTION						
2		M25URS9PW1BN	APX6500BN 7/800 MHZ MOBILE RADIO	\$2,738.00	\$1,711.25	For Mobile
2a		G90AC	ADD: NO MICROPHONE NEEDED	\$0.00	\$0.00	Command Vehicle
2b		G806BE	ENH: ASTRO DIGITAL CAI OP APX	\$515.00	\$321.88	
2c		G72AD	ADD: O3 HANDHELD CONTROL HEAD MIC	\$946.00	\$591.25	
2d		G67BC	ADD: REMOTE MOUNT MID POWER	\$297.00	\$185.63	
2e		G444AE	ADD: APX CONTROL HEAD SOFTWARE	\$0.00	\$0.00	
2f		G361AH	ADD: P25 TRUNKING SOFTWARE	\$300.00	\$187.50	
2g		G51AU	ENH: SMARTZONE OPERATION APX6500	\$1,200.00	\$750.00	
2h		G335AW	ADD: ANT 1/4 WAVE 762-870 MHZ	\$14.00	\$8.75	
2i		B18CR	ADD: AUXILIARY SPKR 7.5 WATT	\$60.00	\$37.50	
2j		GA00580AA	ADD: TDMA OPERATION (P25 PHASE 2)	\$450.00	\$281.25	
2k		G996	ADD: OVER THE AIR PROGRAMMING (OTAP)	\$100.00	\$62.50	
2l		GA00235AA	ADD: NO GPS ANTENNA NEEDED	\$0.00	\$0.00	
2m		GA01606AA	ADD: NO GPS/WI-FI ANTENNA NEEDED	\$0.00	\$0.00	
2n		G851	ADD: AES/DES-XL/DES-OFB ENCRYPTION	\$799.00	\$499.38	
2o		W969	ADD: MULTIPLE KEY ENCRYPTION OPERATION	\$330.00	\$206.25	
2p		G78	3 YR WARRANTY - ESSENTIAL SERVICE	\$168.00	\$0.00	
	6	TOTAL APX6500BN MOBILE O3 HEAD - WITH ENCRYPTION		\$7,917.00	\$4,843.13	\$29,058.75

APX8500 MOTORCYCLE MOBILE							
3	M37TSS9PW1AN	APX8500 7/800 MHZ MOTORCYCLE MOBILE	\$4,770.00	\$2,981.25			Motorcycles
3a	W22BA	ADD: PALM MICROPHONE	\$72.00	\$45.00			
3b	G806BE	ENH: ASTRO DIGITAL CAI OP APX	\$515.00	\$321.88			
3c	G442AJ	ADD: O5 CONTROL HEAD	\$432.00	\$270.00			
3d	G67BA	ADD: REMOTE MOUNT MOTORCYCLE	\$400.00	\$250.00			
3e	G444AE	ADD: APX CONTROL HEAD SOFTWARE	\$0.00	\$0.00			
3f	G361AH	ADD: P25 TRUNKING SOFTWARE	\$300.00	\$187.50			
3g	G51AT	ENH: SMARTZONE OPERATION APX6500	\$1,500.00	\$937.50			
3h	G174AG	ADD: ANTENNA, LOW PROFILE MOTORCYCLE 762-870 M	\$43.00	\$26.88			
3i	B18CS	ADD: AUXILIARY SPKR 7.5 WATT	\$60.00	\$37.50			
3j	GA00580AA	ADD: TDMA OPERATION (P25 PHASE 2)	\$450.00	\$281.25			
3k	W620AE	ADD: NO MOTORCYCLE ENCLOSURE NEEDED	\$0.00	\$0.00			
3l	G138AC	ADD: APX MOTORCYCLE CH SOFTWARE	\$0.00	\$0.00			
3m	G996	ADD: OVER THE AIR PROGRAMMING (OTAP)	\$100.00	\$62.50			
3n	GA00235AA	ADD: NO GPS/WI-FI ANTENNA NEEDED	\$0.00	\$0.00			
3o	GA01517AA	DEL: NO J600 ADAPTER CABLE NEEDED	\$0.00	\$0.00			
3p	GA05508AA	DEL: DELETE VHF BAND	-\$800.00	-\$500.00			
3q	GA05509AA	DEL: DELETE UHF BAND	-\$800.00	-\$500.00			
3r	G851	ADD: AES/DES-XL/DES-OFB ENCRYPTION	\$799.00	\$499.38			
3s	W969	ADD: MULTIPLE KEY ENCRYPTION OPERATION	\$330.00	\$206.25			
3t		3 YEAR EXTENDED WARRANTY - ESSENTIAL SERVICE	\$168.00	\$0.00			
2		TOTAL APX8500 MOTORCYCLE MOBILE	\$8,339.00	\$5,106.89			\$10,213.78
APX RADIOS WITH ENCRYPTION TO REPLACE XTL VEHICLE RADIOS.					Total Equipment:	\$139,377.22	
					8.25 % tax on Equipment	\$11,498.62	
					Total Equipment and Tax	\$150,875.84	
3 YR Warranty is NO Charge per RCS Contract			Order Total (Equipment, Tax, Warranty):		\$150,875.84		

Discounted Pricing from San Diego County RCS Contract # 553982. Shipping is included at No Charge. **PO's must be made out to Motorola Solutions, INC (not Day Wireless).**

QUOTE TO: Oceanside PD - Kimberly Watson 760-435-4900

PREPARED BY: Andy Grimm 858-864-3660

agrimm@daywireless.com

DATE: May 13, 2021

Quote Valid through June 30, 2021

Quote # QU0000111777AGREV002

**MOTOROLA SOLUTIONS**

*Line #	Qty	Part Number	Item Description	List Price		Total Extended Price
SOFTWARE UPGRADES for APX RADIOS						
1	1		APX PORTABLES (APX6000, 7000, 8000 & XE's)	\$0.00		\$0.00
1A	131	H869	ENH: MULTIKEY (Needed for AES & DES Encryption)	\$380.00		\$49,780.00
		Model #				
		Flashcode				
2	1		APX MOBILE RADIOS (APX6500, 7500 & Consolettes)	\$0.00		\$0.00
2A	83	W969	ENH: MULTIKEY (Needed for AES & DES Encryption)	\$380.00		\$31,540.00
		Model #				
		Flashcode				
3	4	T7936	APX MACE ENCRYPTION UPGRADE CD (100 per Disk)	\$57.50		\$230.00
3A	214	CA00182AR	ADD: AES ENCRYPTION SOFTWARE	\$633.00		\$135,462.00
			NO DES - THIS QUOTE IS FOR AES ONLY			
					Total Equipment:	\$217,012.00
					Special 50% Discount	\$108,506.00
					8.25% Tax on Equipment	\$8,951.75
					Total Equipment and Tax	\$117,457.75
4	1	SVC03SVC0124D	TECH LABOR TO ADD MULTIKEY & AES DES		\$24,693.00	Not Taxed \$24,693.00
			Via KVL4000 Plus Encryption Key loader			
Order Total (Equipment, Tax, Labor)						\$142,150.75

Discounted Pricing from San Diego County RCS Contract # 553982. Shipping is included at No Charge. PO's must be made out to Motorola Solutions, INC (not Day Wireless).



CITY OF OCEANSIDE JUSTIFICATION FOR SOLE SOURCE/SOLE BRAND

Administrative Directive, Procurement Process

The City of Oceanside Municipal Code, Sections 28A.1, 28A.9, 28A.12 and Purchasing Directive Section V, Paragraph M defines competitive bidding and the established criteria for Justification for Sole Source/Sole Brand purchasing. Justification for Sole Source/Sole Brand form should only be used after all competitive bidding methods have deemed to be inappropriate or unable to fulfill requirements for the City of Oceanside.

Request for: X SOLE SOURCE SOLE BRAND

Vendor Name: Motorola Solutions

Item: Radio Encryption

JUSTIFICATION FOR REQUEST:

Complete all applicable sections, provide detailed explanation below, attach all supporting documentation and additional explanation sheets, if required.

SOLE SOURCE - UNAVAILABLE FROM ANY OTHER SOURCE.

Product(s) that can be obtained from only one vendor are exempt from competitive bidding. Sole source purchases may include proprietary items sold directly from the manufacturer, items that have only one distributor authorized to sell in this area or a certain product has been proven to be the only product acceptable. Provide specifics on product selection, what are the unique features, how & why compatibility exists to current equipment needs.

Explanation: Motorola Solutions is the company the City and Police Department

contract with to service and maintain Police Radios.

Service(s) are defined as a vendor who provides a unique services and possesses unique qualifications to complete service. (Identify specific, measurable factors & qualifications.) **Does not include Professional Service Agreement.*

Explanation: _____

SOLE BRAND. Various vendors can supply the specified model/brand or similar brands and competitive bids will be solicited for the best brand. Provide details of other brands evaluated and reason(s) for rejecting. Provide brand name, model, vendor name, date, and name of each person contacted. To "match and intermember" is not normally an acceptable justification for sole brand. When you determine this is a justified factor which should be considered: the quantity, manufacturer, brand, model, property number of the existing equipment, and necessity for "interfacing" must be provided.

Explanation: _____

JUSTIFICATION FOR SOLE SOURCE/SOLE BRAND

Administrative Directive, Purchasing Process

UNJUSTIFIED FACTORS FOR SOLE SOURCE/SOLE BRAND:

1. Personal preference for a product or vendor.
2. Cost, vendor performance, local service, maintenance, and delivery (these are award factors in competitive bidding).
3. Features which exceed the minimum department requirement, e.g. heavy duty and quality.
4. Explanation for the actual need and basic use for the equipment, unless the information relates to a request for "unique features".
5. The statement "no substitutions" will not be considered without completion of the "Justification for Sole Source/Sole Brand" form.
6. Lack of advance planning for activity, unless deemed an Emergency Purchase per Administrative Directive.
7. Concerns related to the amount of funds available for the acquisition of goods or services.

CERTIFICATION:

As an approved department representative, I have gathered technical information and have made a concentrated effort to review comparable/equal equipment. This is documented in this justification. I hereby certify as to the validity of the information and feel confident this justification for sole source/sole brand meets the City's criteria and is accurate.

Department Approval	If Requisition less than \$25,000
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by: <u>Kedrick Sadler</u>	Approval: <u>Fred Armijo, Chief of Police</u>	<u><i>Fred Armijo</i></u>
(Print/Type Name)	(Print/Type Name)	(Signature)

Date: <u>11/9/2021</u>	Date: <u>11/10/21</u>
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City Manager Approval	If Requisition Greater than \$25,001 to \$50,000
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City Manager Approval: _____	_____
(Print/Type Name)	(Signature)

Date: _____

City Council Approval	If Requisition Greater than \$50K
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Summary Date: _____	Item # _____	Doc #: _____
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