

Mayor and Council Communication

DATE: 04/23/24

M&C FILE NUMBER: M&C 24-0311

LOG NAME: 04MOTOROLA NORTHWEST TOWER AMEND CSC 50054

SUBJECT

(ALL) Authorize Amendment to City Secretary Contract No. 50054 with Motorola Solutions, Inc. to Increase the Contract Amount by \$3,944,148.00 for an Additional Radio Tower and Communication Equipment in Northwest Fort Worth, for a New Year Three Total of \$5,714,136.00, Using Houston-Galveston Area Council Contract No. RA05-18 Cooperative Contract, or its Successors

RECOMMENDATION:

It is recommended that the City Council authorize execution of an amendment to City Secretary Contract No. 50054 with Motorola Solutions, Inc. to increase the contract amount by \$3,944,148.00 for an additional radio tower and communication equipment in Northwest Fort Worth, for a new year three total of \$5,714,136.00 using Houston-Galveston Area Council Contract No. RA05-18 Cooperative Contract, or its successors.

DISCUSSION:

The City of Fort Worth maintains a radio communications system, the North Texas Interoperable Radio Network (NTIRN), utilized by most City departments and almost 200 external government entities.

Mayor and Council Communication (M&C) C-28495 authorized a System Purchase Agreement with Motorola Solutions, Inc. (Motorola) in an initial annual amount of \$1,602,101.00 using Houston-Galveston Area Council (H-GAC) Contract RA05-15 for the acquisition and implementation of radio related capabilities, and establishment of a four-year discount program for the purchase of radios, other system equipment and services. The discount program includes additional discounts of up to 20 percent off H-GAC pricing for radio equipment and a discount of up to 5 percent for services through December 17, 2025. Afterward, the City executed City Secretary Contract No. 50054 (Agreement) with Motorola.

M&C C-28495 also authorized the City to purchase similar equipment and services under successive contracts, stating if H-GAC Contract RA05-15 is not extended but H-GAC executes a new cooperative contract with Motorola with substantially similar terms as H-GAC Contract RA05-15, that M&C authorizes the City to purchase equipment and services under the new H-GAC contract.

M&C 21-0937, approved on December 14, 2021, authorized an amendment to the Agreement with Motorola for additional radios and other system equipment & services for three one-year terms with a first year amount of \$1,462,800.00, second year amount of \$1,609,080.00 and third year amount of \$1,769,988.00 for a cumulative contract total of \$4,841,868.00.

On June 28, 2022, City Council approved M&C 22-0496 to acquire public safety radios and associated equipment and increase the contract amount in year two by \$2,797,260.00 for a new year two total of \$4,406,340.00. After this M&C, the total contract amount was an amount not to exceed \$7,639,128.00.

This M&C will authorize a contract amendment to increase the spend authority by \$3,944,148.00 in the agreement's third year for a new radio tower and communication equipment in Northwest Fort Worth. During the last eleven years, the City has developed and expanded in North and Northwest Fort Worth. To accommodate the growth and to support the expanded City services that resulted, radio coverage must be extended by the implementation of an additional transmission site and tower. The Northwest Tower will provide the needed reliable radio communication coverage to the north and northwest areas of the City of Fort Worth and Tarrant County, improving communication for public safety and public works entities.

Other terms and conditions of the existing agreement remain the same.

PRICE ANALYSIS - H-GAC provides up to a 25 percent discount off list price for products commonly acquired by the City with no significant pricing increase compared to the last agreement approved by City Council on December 6, 2016 (M&C P-11978). In addition, Information Technology Solutions staff negotiated additional discounts of up to 20 percent off H-GAC pricing in an agreement with Motorola approved by City Council on December 5, 2017 (M&C C-28495).

SUCCESSOR CONTRACTS - In the event the H-GAC agreement is not renewed, staff would cease purchasing at the end of the last purchase agreement coinciding with a valid cooperative agreement. If the City Council were to not appropriate funds for a future year, staff would stop making purchases when the last appropriation expires, regardless of whether the then-current purchase agreement has expired.

The City will initially use H-GAC Contract No. RA05-21 to make purchases authorized by this M&C. As noted, H-GAC Contract No. RA05-21 expires on July 31, 2024. If H-GAC Contract No. RA05-21 is extended, this M&C authorizes the City to purchase similar equipment and supplies under the extended contracts. If H-GAC Contract No. RA05-21 is not extended, but H-GAC executes a new cooperative contract with Motorola Solutions, Inc. with substantially similar terms as H-GAC Contract No. RA05-21, this M&C authorizes the City to purchase the equipment and supplies under the new H-GAC contract.

BUSINESS EQUITY - An M/WBE goal is not assigned when purchasing from an approved purchasing cooperative or public entity.

COOPERATIVE PURCHASE - State law provides that a local government purchasing an item under a Cooperative Purchasing Agreement satisfies any state law requiring that the local government seek competitive bids for the purchase of the item. The contract was competitively bid to increase and simplify the purchasing power of government entities across the State of Texas.

ADMINISTRATIVE CHANGE ORDER: An administrative change order or increase may be made by the City Manager up to the amount allowed by relevant law and the Fort Worth City Code and does not require specific City Council approval as long as sufficient funds have been appropriated.

AGREEMENT TERMS – Upon City Council’s approval, the existing agreement will be renewed in accordance with H-GAC RA05-21 or its successor.

RENEWAL OPTIONS – The agreement may be renewed for additional one-year terms at the City’s option, in accordance with H-GAC RA05-21. If H-GAC Contract RA05-21 is not extended but H-GAC executes a new cooperative contract with Motorola Solutions, Inc. with substantially similar terms as H-GAC Contract RA05-21, this M&C authorizes the City to purchase equipment and services under the new H-GAC contract. This action does not require specific City Council approval provided that the City Council has appropriated sufficient funds to satisfy the City’s obligations during the renewal term.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the Tax Notes Series 2023 Fund for the NW Radio Tower project to support the approval of the above recommendation and execution of the amendment. Prior to an expenditure being incurred, the IT Solutions Department has the responsibility to validate the availability of funds.

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