

AMENDED IN COMMITTEE
4/15/15

FILE NO. 150189

RESOLUTION NO.

[Agreement Amendment - Motorola, Inc. - 800 MHz Radio System Project - \$30,378,734]

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Resolution authorizing the Department of Technology to enter into the Eighth Amendment of the Citywide 800 MHz Radio System Project agreement between the City and County of San Francisco and Motorola, Inc., to increase the contract amount to \$30,378,734 for the remaining term through September 21, 2017.

WHEREAS, The Department of Technology, developed the 800 MHz Radio System Project Agreement for the purchase of products and services related to the City's Radio Systems; and

WHEREAS, Motorola, Inc., was the sole qualified vendor who responded to the City's Invitations to Bid in 1996; and

WHEREAS, The Board of Supervisors adopted a resolution authorizing the original agreement on August 25, 1997, by Resolution No. 804-97, on file with the Clerk of the Board of Supervisors in File No. 172-97-52, hereby declared to be a part of this resolution as if set forth fully herein; and

WHEREAS, The agreement has been amended seven times, by the First Amendment dated May 18, 1998; and the Second Amendment dated September 24, 1998; and the Third Amendment dated August 11, 1999; and the Fourth Amendment dated May 19, 2000; and the Fifth Amendment dated November 21, 2000; and the Sixth Amendment dated June 15, 2007, and the Seventh Amendment dated April 15, 2013; and

WHEREAS, The original 1997 agreement authorized a maximum guaranteed amount of \$10,000,000; and

WHEREAS, On November 7, 2006, the Board of Supervisors adopted Resolution No. 653-06 authorizing the Sixth Amendment increasing the amount of the original agreement, to

1 \$20,000,000 and extending the agreement term to 2017, which is on file with the Clerk of the
2 Board of Supervisors in File No. 060484, hereby declared to be a part of this resolution as if
3 set forth fully herein, and on June 25, 2013, the Board of Supervisors adopted Resolution No.
4 223-13 authorizing the Seventh Amendment increasing the amount of the original agreement,
5 to \$24,000,000 which is on file with the Clerk of the Board of Supervisors in File No. 130392,
6 hereby declared to be part of this resolution as if set forth fully herein; and

7 WHEREAS, The Department of Technology estimates that the money projected to be
8 spent with Motorola, Inc. could reach the contract's not-to-exceed amount for additional
9 equipment in the reasonably near future; and

10 WHEREAS, The Eighth Amendment is on file with the Clerk of the Board of
11 Supervisors in File No. 150189, and is hereby declared to be a part of this resolution as if set
12 forth fully herein; and

13 WHEREAS, Charter, Section 9.118, "Contract and Lease Limitations," subsection (b),
14 requires Board of Supervisors approval of any contract estimated to exceed \$10,000,000 in
15 expenditures; now, therefore, be it

16 RESOLVED, That the Board of Supervisors authorizes the Department of Technology
17 and the Office of Contract Administration to execute the Eighth Amendment increasing the
18 maximum guaranteed amount to \$30,378,734, substantially in the form of the agreement on
19 file with the Clerk of the Board of Supervisors, in File No. 150189, with such changes or
20 modifications, as may be acceptable to the Director of the Department of Technology and the
21 City Attorney and which do not materially increase the obligations and liabilities of the City;
22 and, be it

23 FURTHER RESOLVED, That upon execution of the Eighth Amendment, the Director of
24 the Department of Technology shall transmit to the Clerk of the Board of Supervisors a copy
25 of the Eighth Amendment, for inclusion in File No. 150189.