

1 [Authorizing the Department of Telecommunications and Information Services to amend its
2 contract with Motorola, Inc. to exceed \$20 million and extend the time for an additional ten
3 years.]

4 **Resolution authorizing the Department of Telecommunications and Information**
5 **Services to enter into the Sixth Amendment between the City and Motorola, Inc., to**
6 **increase the authorization for the contract’s anticipated expenditures to \$20 million,**
7 **and extend the time of the contract.**

8
9 WHEREAS the Department of Telecommunications and Information Services, by
10 competitive bidding, developed the 800 MHz Radio System Project Agreement for the
11 purchase of products and services related to the City's Radio Systems; and,

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

14 WHEREAS, the original contract with Motorola, Inc., was dated September 22, 1997,
15 2004; and had a term of ten years, through September 21, 2007; and

16 WHEREAS, the contract has been amended five times, by the First Amendment dated
17 May 18, 1998; and the Second Amendment dated September 24, 1998; and Third
18 Amendment dated August 11, 1999; and the Fourth Amendment dated May 19, 2000; and the
19 Fifth Amendment dated November 21, 2000;

20 WHEREAS, the original contract’s not-to-exceed amount for compensation (found in
21 Section 4.11 of the contract) was \$9,999,999, and that amount has not been changed by any
22 prior Amendment; and,

23
24
25

1 WHEREAS, the Department of Telecommunications and Information Services
2 estimates that the money projected to be spent with Motorola, Inc. could reach the contract's
3 not-to-exceed compensation amount in the reasonably near future; and,

4 WHEREAS, the Department of Telecommunications and Information Services must
5 reconfigure the City's radio system in accordance with the Federal Communications
6 Commission's Order dated August 6, 2004; and,

7 WHEREAS, Charter section 9.118, "Contract and Lease Limitations," subsection (b),
8 requires Board of Supervisors approval of any contract estimated to exceed \$10 million in
9 expenditures; now, therefore, be it

10 RESOLVED, that the Board of Supervisors authorizes the Office of Contract
11 Administration to enter into Amendment Six to the contract with Motorola, Inc.; and be it

12 FURTHER RESOLVED, that said Amendment shall increase the not-to-exceed
13 compensation amount for the contract with Motorola, Inc. from \$9,999,999 [Nine million-nine
14 hundred and ninety-nine dollars] to \$20,000,000 [Twenty million dollars].

15 FURTHER RESOLVED, that said Amendment shall lengthen the term of the current
16 contract from a term of ten years, through September 21, 2007; to a term of twenty years,
17 through September 21, 2017.