

The Board met in due form with the following members present: Roosevelt Allen, Jr., Michael Repay and Gerry Scheub. They passed the following orders, to wit:

There was a moment of silent prayer, including the unfortunate tragedy at Purdue University, Lafayette, University; the Pledge was given and the Emergency Exit Announcement made.

A courtesy copy of the agenda and notice of this meeting was faxed by Brenda Koselke to the Times in Munster and Crown Point, the Post Tribune in Merrillville and Crown Point, WJOB Radio Station, the Star, WLTH Radio Station, Comcast Cable, the Calumet Press, Portage Journal News, Pilcher Publishing and the Gary Law, Channel 21 media on the 20th day of December, 2013 at about 10:30 p.m.

A copy of the meeting notice and agenda was posted at the entrance of the Commissioner's courtroom on the 20th day of December, 2013 at about 10:30 p.m.

Order #1 Agenda #5A

In the Matter of Notices/Agenda: Certificate of Service of Meeting Notice and Posting to those who have made such written request to be made a matter of public record and Posting.

Scheub made a motion, seconded by Allen, to make a matter of public record the Certificate of Service of Meeting Notice and Posting to those who have made such written request. Motion carried.

Board President, called the Meeting to recess until 10:30 A.M., upon a motion made by Scheub made a motion, seconded by Allen. Motion carried.

Board President, called Meeting to order.

AGENDA FOR 911

Order #2 Agenda #6A

In the Matter of Public Record of Memorandum from Michael Mazzitello to interested bidders dated December 19, 2013.

Scheub made a motion, seconded by Allen, to make a matter of public record the Memorandum from Michael Mazzitello to interest bidders dated December 19, 2013. Motion carried.

Order #2 Agenda #6B

In the Matter of Public Record of Commissioners' Attorney's letter forwarded by Michael Mazzitello to vendors on December 23, 2013.

Scheub made a motion, seconded by Allen, to make a matter of public record the Commissioners' Attorney's letter forwarded by Michael Mazzitello to vendors on December 23, 2013. Motion carried.

Order #2 Agenda #6C

In the Matter of Public Record of Memorandum from Michael Mazzitello to interested bidders dated January 16, 2014.

Scheub made a motion, seconded by Allen, to make a matter of public record the Memorandum from Michael Mazzitello to interested bidders dated January 16, 2014. Motion carried.

Order #3 Agenda #7

In the Matter of Provisions of IC 5-22-9 will be used in processing the 911 responses to the request for proposals.

- a. Sec 4. Proposals must be opened so as to avoid disclosure of contents to competing offerors during the process of negotiation.
- b. Sec 5. (a) A register of proposals must be:
 - (1) prepared; and
 - (2) open for public inspection after contract award.(b) The register of proposals must contain the following:
 - (1) A copy of the request for proposals.
 - (2) A list of all persons to whom copies of the request for proposals were given.
 - (3) A list of all proposals received, which must include all of the following:
 - (A) The names and addresses of all offeror's.
 - (B) The dollar amount of each offer.
 - (C) The name of the successful offeror and the dollar amount of that offeror's offer.
 - (4) The basis on which the award was made.
 - (5) The entire contents of the contract file except for proprietary information included with an offer, Such as trade secrets, manufacturing processes, and financial information that was not required to be made available for public inspection by the terms of the request for proposals.
- c. Sec 6. As provided in the request for proposals or under the rules or policies of the government body, discussions may be conducted with, and best and final offers obtained from, responsible offerors who submit proposals determined to be reasonable susceptible of being selected for award.

No action taken by the Board of Commissioners of the County of Lake. Cost proposals are to remain sealed.

Order #4 Agenda #8

In the Matter of Adoption of final specification for 911 request for proposals.

- a. The Specification for the 911 request for proposals will include the following:
 1. The original specification adopted by the Board of Commissioners.
 2. Memorandum from Michael Mazzitello to interested bidders dated December 19, 2013.
 3. Commissioners' Attorney's letter forwarded by Mazzitello to vendors on December 23, 2013.
 4. Memorandum from Michael Mazzitello to interested bidders dated January 16, 2013 (was sent in 2014).
- b. Commissioners' motion to adopt the final specification package.

Board discussion, between Board of Commissioners and their Attorney, Scheub made a motion, seconded by Allen, to delete the designated time schedule, as it relates to the designated of whom will be interviewed what day and time. Motion carried.

Interview Schedule, amendment, as follows:

Tuesday February 4, 2014:

10 AM to NOON Cassidian Communications
1 PM to 3 PM Motorola

Wednesday February 5, 2014:

10 AM to NOON Harris Corp

Allen made a motion, to approve a copy of the request for proposals, and ordered same to approve the list of all persons to whom copies of the RFP (request for proposals) were given;

Allen made a motion, to approve list of all proposals received which must include: a. The names and addresses of all offeror's, b. The dollar amount of each offer, and c. The name of the successful offeror and the dollar amount of that offeror's offer;

Allen made a motion, to approve the basis on the award was made;

Allen made a motion, to The original specification adopted by the Board of Commissioners, approve the Memorandum from Michael Mazzitello to interested bidders dated December 19, 2013, approve the Commissioners' Attorney's letter forwarded by Mazzitello to vendors on December 23, 2013, and approve the Memorandum from Michael Mazzitello to interested bidders dated January 16, 2013 (was sent in 2014), all motions seconded by Scheub. Motion carried 3-0.

Allen made a motion, seconded by Scheub, to adopt the final specification package. Motion carried 3-0.

Order #5 Agenda #9

In the Matter of Adopting of Order in which the vendor will be instructed by the 911 Technical Committee.

- a. A total of four vendors responded. (Cassidian Communication, E.F. Johnson Corporation, Harris Corporation, and Motorola)
- b. The order of interview by the Technical Committee will be determined by blind name drawing today by the Commissioners.
- c. A blind name drawing to establish the order that the four vendors who submitted proposals will be interviewed by The 911 Technical Committee.

Action taken in Order #4.

Order #6 Agenda #10

In the Matter of Opening of the request for proposals.

- a. Sign-in sheet from mandatory Bidders Conference to be made a matter of public record.
- b. Ratify changes to specification for Interoperable Radio System Project.
- c. Proposals opened.
- d. Monetary information remains sealed and in the possession on the Lake County Auditor.

Scheub made a motion, seconded by Allen, to allow the bid opening of the technical responses. Motion carried.

Scheub made a motion, seconded by Allen, to make the sign-in sheet a matter of public record. Motion carried.

<u>NAME</u>	<u>COMPANY</u>	<u>PHONE/EMAIL</u>
Morty Christensen	Cassidian Communications	provided
John Bernatowicz	Scientel Wireless	provided
Mike Ryan	Harris Chicago	provided
Mike Engelhaupt	Tait Radio	provided
Frank Galvin	Motorola Solutions	provided
Derek DiPietro	E.F. Johnson	provided
Tom Wessling	A Beep	provided
Roy Gillis/Kevin B.	Utility Comm., Inc.	provided
Mike Flanery	Tri-Electronics	provided
Ted Hurley	J&K Communications, Inc.	provided

Commissioner Repay, announced, separation of the proposals are for the purpose of review, Technical Committee will review the technical proposal separate from the cost proposal, Scheub made a motion, seconded by Allen, to make a matter of public record that the proposals have been opened and separated. Motion carried.

Scheub made a motion, seconded by Allen, to make a matter of public record that the unopened cost proposals will remain with the County Auditor in the safe. Motion carried.

Order #7

In the Matter of Public Comment

Comes now, Jim Wieser, before the Board of Commissioners, with a public comment, stating, he has been at this for about a year now, representing a potential vendor, saying, first, he knows more now about 700Mhz and 800Mhz, etc. And, to point out compliments to Mr. Mazzitello and Mr. Hitchcock and everybody involved, on behalf of the taxpayers and Cassidian, in which he represents, stating they have done the job well. Continuing, with two issues raised by the Jan 16th's Memorandum, pointing out and asking for clarification, Dull, interjected, asking of Mr. Wieser responded to that Memo, Wieser, continued, the process was that once we got our final answer in and once Mike prepared his Memo, it was to his understanding, that was the end of the process, we didn't know that the Memo would raise two questions and one is –That there was a date incurred in the Memo that was never discussed or brought up by anybody and any of the vendors meetings, saying that “phase 2 upgradeable” had to be compliant by September 1st 2015, when in fact the only day I ever heard was always the projected day of December 31st 2016 and now potentially a bidder will bid in good faith and it seems unclear being 15 months earlier.

Comes now, Mr. Mazzitello, before the Board of Commissioners, in response, stating, the concept behind pushing forward a date of 2015, actually, was based on the concept that the County has before it the issue of working thru the cuddle of that, and have the system ready to be turned on and operable by September, 2016, the concept there are challenges we're facing as a public safety operation, with all the interruption that's going to happen with the system, Mr. Mazzitello cont'd.

Mr. Mazzitello, stated, we could make that date later, it could be in 2016, and I would suggest that we would consider, since we are having interviews of the vendors that have responded, to discuss that matter in a final review of each of the responses and in the interview process we would discuss that. *Dull to Wieser*, Is that okay with you? *Wieser*, Yes. It's perfectly acceptable.

Mr. Wieser, continued with his public comment, Would a vendor be penalized, if they were to do, say, one upgradeable to phase 2, thinking the answer was, no they would not be penalized. In the scoring system it says that it is possible that vendors proposing a compliance initial phase 2 implementation will be given a higher score than a vendor that does not choose this (Q4;Pg3).

Mr. Mazzitello, responded, On this very issue, on a positive spin, we are not penalizing anybody, however, that if we ask for something and we get what we want for it, upfront, which offers up the opportunity to not have to have our public safety take over, face all the challenges that they would face in going through almost like a new instance programming the police, the interruptions, the 911 operations, re-connecting of the system, has an apparent value to the County, we would expect all of that going in to phase 2 instead of having a migration process, discussion cont'd.

Commissioner Scheub, questioned, how does it, this whole program, affect the quality of the final program for the Citizens of Lake County, what's best for the people and what's best for the County, that's what we have to look at.

Mr. Mazzitello, explained we will have to have 700 Mhz and Phase 1 or Phase 2 is really the issue, the deadline by the FBC as it stands needs to have by January 1, 2017, so either one of these systems is going to be good for the County.

Repay, called for a motion to amend the score sheet.

Discussion cont'd.

Scheub made a motion, seconded by Allen, that on page 3 of the Document dated January 6, 2013, that the last paragraph, first sentence, be deleted from this Memorandum. Motion carried.

Public Comment – Citizen Joe Hero, spoke, stating the public has not had input to know what's going on with the “questions and answers”, because we never got a response from the people in control of that after requesting it (the questions and answers). Another thing is, the RFP had the point system set up so people who couldn't comply to that had to be scared away if there were such people out there in the public, you can't be coming in here, the bids are already submitted, change the specs, because you've screwed somebody out there that you don't even know who they are, who can't comply with your RFP, you can't come back here and massage the specs, like you did with adopting all these letters and stuff, that were not apart of the original RFP, so try to condense all this, I think this whole process is unlawful, because they don't have a fair competitive chance when you come in here last minute changing the specs, and that's what you're doing.

Commissioners Scheub, responded, stating, “I don't think we changed any specs”. Specs haven't changed what they're going to bid on hasn't changed, there're still the same.

Citizen Hero, continued, thinking the change is unlawful. Continuing, Performance Bond, in there they are supposed to submit the cost and basically you're going to reimburse them for the cost of the performance bond, I don't thing that's appropriate because for them to buy the bond it goes to their reputation, their company's financials, etc. so I don't thing that is the right way to set the RFP up and basically the public has not been able to access the information for all these changes and all these meetings. I think you've changed the specs here and the fact that you're separating the cost from the Spec I think that's improper, I think the bid should be open based on what the specs are and what the original RFP was, not all these additional changes. Thank you.

Mr. Hitchcock, responded.

Scheub made a motion, seconded by Allen, to rescind a previous motion, make the technical responses a matter of public record. Motion to rescind, carried 3-0.

Scheub made a motion, seconded by Allen, to make the technical responses to the RFP for the Interoperable Radio System Project for Lake County E-9-1-1 a matter of public record in accordance with Specification for the RFP. Motion carried 3-0.

There being no further business before the Board at this time, Scheub made a motion, seconded by Allen, to adjourn.

The next Board of Commissioners Meeting will be held on Wednesday, February 19, 2014 at 10:00 A.M.

The following officials were Present:
Attorney John Dull
Brenda Koselke

MICHAEL REPAY, PRESIDENT

ROOSEVELT ALLEN Jr., COMMISSIONER

GERRY SCHEUB, COMMISSIONER

ATTEST:

PEGGY HOLINGA KATONA, LAKE COUNTY AUDITOR