



L3HARRIS™

November 3, 2020

Delivered by Electronic Mail

The Honorable J. Kevin Stitt
Governor, State of Oklahoma
Oklahoma State Capitol
2300 N Lincoln Blvd.
Oklahoma City, Oklahoma 73105

RE: L3Harris Technologies concerns regarding Oklahoma Department of Public Safety procurement of Project 25 Subscriber Radios, Sites, Accessories, and Parts

Dear Governor Stitt:

I am writing to express very strong disappointment over the methodology still being used by the Oklahoma Department of Public Safety in the procurement of Project 25 Subscriber Radios, Sites, Accessories, and Parts.

L3Harris is the world's sixth-largest defense and communications technology company. Our Public Safety and Professional Communications (PSPC) division, headquartered in Lynchburg, VA, provides a wide variety of mission-critical communication solutions—including mobile and portable radios and systems—to industry, federal, state and local government agencies across the country. Our customer base in Oklahoma includes the Cities of Oklahoma City, Norman, Broken Arrow, Jenks, Bixby, Glenpool, Claremore, Wagoner, and the counties of Oklahoma, Rogers, and Wagoner. There are also multiple school systems using the Broken Arrow network, allowing staff to directly communicate with their first responder community, even over a cell phone. We look forward to consistently proving ourselves in procurements which are competitive, technologically forward-looking, and not weighted to any specific vendor. The last three competitive Request for Proposals (RFP)'s for radio equipment in the state have been awarded to L3Harris (Oklahoma City, Norman, Rogers County).

L3Harris was contacted in late September by the Oklahoma Department of Public Safety with a Request for Quote (RFQ) for a P25 upgrade of two RF simulcast cells currently on the Statewide Law Enforcement Communications System also commonly known as the Oklahoma Wireless Information Network (OKWIN). The RFQ was received on 9/18/2020 with a due date of 9/25/2020. We received a similar quick-turn response (a couple weeks prior) which was much smaller in scope; as well as a separate RFQ for 360 multiband radios before that. The accelerated timelines are the result of deadlines associated with the use of CARES funds.

These quick turn RFQs are presenting as a full system procurement being partitioned into smaller RFQs and are unequally beneficial to one vendor in the marketplace. We recently became aware that we were not awarded the last RFQ after being copied on a notice to proceed email from the state to the awarded vendor. It is our understanding that our bid was \$3M or 34% lower than the awarded bid. It was also our understanding, after an October 6th sub-committee meeting, the funding was reallocated for the latest released RFQ. It is our belief, that the delta across the three quote requests equal a total of over \$5M, at a time when budgets are already tight. We are in the process of requesting documents from the State through the Freedom of Information Act (FOIA) as there has not been any official release of information since the RFQ's.

The perception is that the procurement practices above seemed to accelerate after the departure of the previous OKWIN Director to a vendor, and the backfilling of his position with a person who worked for the same vendors preferred dealer partner. These position changes were a point of contention for the previous Governor's administration and the State legislative body. A sole source contract worth almost \$50M was stopped at attorney review for contract signing by then Director of OMES, Preston Doerflinger. The recommendation for an RFP was outlined in a November 10th, 2015 letter (attached) to Representative Jason Murphey from OMES CIO for Public Safety and Defense, Ben Gherezgiher. The letter was in response to Public Safety Budget Chair Murphey's request for answers to the sole source procurement.

The technical reason provided to L3Harris for its non-selection was the inability to automatically roam between different systems utilizing Inter-RF Subsystem Interface (ISSI). This would allow the radio user to use a tower site on a different manufacturer's network without physically changing the channel. The L3Harris technology can perform this function today, while the chosen vendor cannot. ISSI technology allows the State to leverage the most modern communication systems in Oklahoma to include Oklahoma City, Norman, and the Broken Arrow network. This was the path the previous administrations team was most interested in to reduce overall cost and allow for better interoperability for the First Responder community. The most recent RFQ is to replace 5 OKC Metro sites where significantly better coverage already exists today with the OKC 13 site system. There are too many areas in the state that have zero coverage for Troopers to be building in areas that have close to 100%. This technology is proven and has been used daily for over 5 years on the Broken Arrow network. L3Harris technology also performs more efficiently in P25 Phase 2 and utilizes less hardware, reducing service cost and minimizing points of failure. Our LTE Multiband radios were the first to market providing the ability to utilize LTE connectivity with a traditional Land Mobile Radio system.

L3Harris believes that the State, in its piecemeal approach to a Statewide System, has not made every effort to ensure that the subject procurements would be fully competitive, and we do not believe that the method of procurement presently being administered by the State is in the taxpayers' best interests. This was a point of discussion during a recent Interim Study for a Statewide Radio System on October 8th at the Capitol. This was led by Public Safety Budget Chairs, Representatives Ross Ford and Stan May. L3Harris strongly encourages you to review the way in which these procurements are being administered and stop the recent awards and notice to proceed. We would be pleased to provide additional information to support this request. We are asking for a complete system procurement, placing all vendors in a competitive environment as discussed in the October 8th meeting and OMES letter. This will ensure the best price for the State in fulfilling its need of a full system upgrade.

L3Harris reserves all rights and the ability to enforce such rights and remedies available to it under the law, at any time, and from time to time, in connection with these procurements. Should you have questions or require additional information, I would be happy to speak with you or any members of your administration.

Respectfully,



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Bo Reese
Chief Information Officer
Information Services



Preston L. Doerflinger
Director
Secretary of Finance, Administration
and Information Technology

November 10, 2015

Rep. Jason Murphy
2300 N. Lincoln Blvd. RM #437
Oklahoma City, OK 73105

RE: The Public Safety Radio Communication System (OKWIN) Upgrade.

Dear Rep. Murphy,

To address your request for information referencing the OKWIN enhancement planning, we offer the following from the CIO's office perspective.

You may be aware that the public safety radio communication system is outdated in technology and also challenged in capacity and coverage. Through guidance from our office, the department of public safety has been looking into modernizing the radio system and network to be compliant to the P25 standard as well as increase coverage of the radio system to benefit most of the first responders in our state.

We are working to establish a working group of multi-agency representatives that will include partners from local governments along with State Office of Homeland Security, to put together a plan that will address the current and future needs of this mission-critical radio communications system. The following high level objectives are declared:

- A single-trunked radio communication system that is based on the P25 version 2 industry standard that is also compliant to the resiliency standards of public safety.
- Make the radio service available to all First Responders in the state as a managed service, while maintaining the interoperability investments that are already made.
- Increase RF coverage to about 95% of the state utilizing the current state owned tower assets.
- Develop a sustainability model and governance to keep the mission-critical communication infrastructure regularly refreshed and compliant to industry standards.

Once the plan is complete, due to the magnitude of this project we anticipate our recommendation will be to acquire these services through competitive bids. This will help ensure the State gets the best cost available on the market. Please don't hesitate to contact me to discuss any further concerns or questions you may have at this time.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Gherezgher", is written over a horizontal line.

Ben Gherezgher
CIO For Public Safety and Defense
Oklahoma Office of Management & Enterprise Services

cc: Bo Reese State CIO