AGENDA

LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

BOARD OF DIRECTORS REGULAR MEETING

Thursday, December 13, 2012 • 9:00 a.m.

Grace E. Simons Lodge
1025 Elysian Park Drive, Los Angeles, CA 90012

Los Angeles Regional Interoperable Communications System Authority (the "Authority")

AGENDA POSTED: December 7, 2012
Complete agendas are made available for review at the designated meeting location during normal business hours and may also be accessible on the Authority's website at http://www.la-rics.org.

Members:

1. **William T Fujioka**, Chair, CEO, County of Los Angeles
2. **Charles L. Beck**, Vice Chair, Police Chief, City of Los Angeles
3. **Mark R. Alexander**, City Manager, representing the California Contract Cities Association
4. **Leroy D. Baca**, Sheriff, County of Los Angeles
5. **Reginald Harrison**, Deputy City Manager, City of Long Beach
6. **LeRoy J. Jackson**, City Manager, City of Torrance, representing At Large Seat
7. **Dr. Mitchell H. Katz**, Director, DHS, County of Los Angeles
8. **Gerry F. Miller**, Chief Legislative Analyst, City of Los Angeles
9. **Daryl L. Osby**, Fire Chief, County of Los Angeles
10. **Brian Cummings**, Fire Chief, City of Los Angeles
11. **Donald Pedersen**, Police Chief, City of Culver City, representing At Large Seat
12. **Scott Pickwith**, Police Chief, representing the Los Angeles County Police Chiefs Association
13. **Kim Raney**, Police Chief, City of Covina, representing At Large Seat
14. **Timothy Scranton**, Fire Chief, representing the Los Angeles Area Fire Chiefs Association
15. **Miguel Santana**, CAO, City of Los Angeles
16. **Gregory L. Simay**, Assistant General Manager, City of Burbank Water & Power, representing At Large Seat
17. **Steven K. Zipperman**, Police Chief, Los Angeles School Police Department

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Officers:

1. **Patrick Mallon**, Executive Director
2. **Wendy L. Watanabe**, County of Los Angeles Auditor-Controller
3. **Mark J. Saladino**, County of Los Angeles Treasurer and Tax Collector
4. **Patricia Saucedo**, Board Secretary

NOTE: ACTION MAY BE TAKEN ON ANY ITEM IDENTIFIED ON THE AGENDA

I. CALL TO ORDER

II. ANNOUNCE QUORUM – Roll Call

III. APPROVAL OF MINUTES (1)

1. November 8, 2012 Special Meeting Minutes
   Attachment: Item 1

IV. CONSENT CALENDAR – (None)

V. REPORTS (2–5)

2. Committee Reports
   a. Finance Committee – No Report
   b. Legislative Committee – No Report
   c. Operations Committee – No Report
   d. Technical Committee – No Report

3. Director's Report – Pat Mallon

4. Project Management Report – Pat Mallon
   Attachment: Item 4

5. Grant Status Report – Pat Mallon

VI. DISCUSSION ITEMS (None)

VII. ADMINISTRATIVE MATTERS (6-7)

6. Oral Presentations – Pat Mallon

   RECOMMENDATION: It is recommended that your Board provide direction to the Evaluation Committee regarding oral presentations.

   Attachment: Item 6

7. Services Contract Solicitation Protest Policy Amendment – Pat Mallon/John Geiger

   RECOMMENDATION: It is recommended that your Board:

   a. Accept recommended changes to the previously adopted County of Los Angeles ("County") Services Contract Solicitation Protest Policy, to reflect Proposed Contractor Selection Review to be heard and decided by a retired judicial officer chosen in the Authority's sole discretion (the "Review Officer") based upon the following:

i. The Proposer's written request for Proposed Contractor Selection Review;

ii. Any briefing in response to the Proposer's written request for Proposed Contractor Selection Review; and,

iii. A review meeting before the Review Officer. The Review Officer, in his/her sole discretion, may entertain the presentation of facts, comments, and arguments relevant to the issues under review.

b. Authorize the Executive Director or his designee to issue Addenda E to RFP # LA-RICS 007, reflecting the above-mentioned change in the protest policy.

Attachment: Item 7

VIII. MISCELLANEOUS – (None)

IX. PUBLIC COMMENTS

X. ITEMS FOR FUTURE DISCUSSION AND/OR ACTION BY THE BOARD

8. FirstNet Path Forward
9. Project Funding
10. Project Risk Controls

XI. ADJOURNMENT AND NEXT MEETING:
Thursday, January 3, 2012, at 9:00 a.m., at the Grace E. Simons Lodge.

BOARD MEETING INFORMATION

Members of the public are invited to address the LA-RICS Authority Board on any item on the agenda prior to action by the Board on that specific item. Members of the public may also address the Board on any matter within the subject matter jurisdiction of the Board. The Board will entertain such comments during the Public Comment period. Public Comment will be limited to three (3) minutes per individual for each item addressed, unless there are more than ten (10) comment cards for each item, in which case the Public Comment will be limited to one (1) minute per individual. The aforementioned limitation may be waived by the Board's Chair.

(NOTE: Pursuant to Government Code Section 54954.3(b) the legislative body of a local agency may adopt reasonable regulations, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.)

Members of the public who wish to address the Board are urged to complete a Speaker Card and submit it to the Board Secretary prior to commencement of the public meeting. The cards are available in the meeting room. However, should a member of the public feel the need to address a matter while the meeting is in progress, a card may be submitted to the Board Secretary prior to final consideration of the matter.

It is requested that individuals who require the services of a translator contact the Board Secretary no later than the day preceding the meeting. Whenever possible, a translator will be provided. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend. (323) 881-8291 or (323) 881-8295

SI REQUIERE SERVICIOS DE TRADUCCION, FAVOR DE NOTIFICAR LA OFICINA CON 72 HORAS POR ANTICIPADO.

The meeting is recorded, and the recording is kept for 30 days.

Board of Directors

MINUTES OF SPECIAL MEETING

LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

November 8, 2012

Grace E. Simons Lodge
1025 Elysian Park Drive, Los Angeles, CA 90012

Board Members Present:

William "'Bill" T Fujioka Chair, CEO, County of Los Angeles
Gerry F. Miller, Chief Legislative Analyst, City of Los Angeles
Daryl L. Osby, Fire Chief, County of Los Angeles
Reginald "Reggie" Harrison, Deputy City Manager, City of Long Beach
Timothy Scranton, Fire Chief, City of Beverly Hills, representing the Los Angeles Area Fire Chiefs Association
LeRoy J. Jackson, City Manager, City of Torrance, representing At Large Seat
Gregory "Greg" L. Simay, Assistant General Manager, City of Burbank Water & Power, representing At Large Seat

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Representatives For Board Members Present:

John Vidovich, representing Brian Cummings, for the City of Los Angeles Fire Department
Sandy Jo MacArthur, representing Charles "Charlie" L. Beck, Vice Chair, for the City of Los Angeles Police Department
David Betkey, representing, Leroy "Lee" D. Baca, for the County of Los Angeles Sheriff Department
Cathy Chidester, representing Dr. Mitchell H. Katz, for the County of Los Angeles Department of Health Services
Nancy L. Ramirez, representing Steven K. "Steve" Zipperman, for the Los Angeles School Police Department
Dave Tankenson, representing Donald "Don" Pedersen, City of Culver City, At Large Seat
Derek Webster, representing Kim Raney, City of Covina, At Large Seat

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Officers Present:

Pat Mallon, LA-RICS Executive Director
Patricia Saucedo, Board Secretary

Absent:

Miguel Santana, CAO, City of Los Angeles
Scott Pickwith, Police Chief, City of La Verne, representing the Los Angeles County Police Chiefs Association
Mark R. Alexander, City Manager, City of La Cañada Flintridge, representing the Contract Cities Association
Wendy L. Watanabe, Auditor-Controller, County of Los Angeles
Mark J. Saladino, Treasurer and Tax Collector, County of Los Angeles

AGENDA ITEM 1

I. CALL TO ORDER

II. ANNOUNCE QUORUM – Roll Call

Chair Bill Fujioka made an acknowledgement that a quorum was present.

III. APPROVAL OF MINUTES – (1)

1. October 4, 2012 – Regular Meeting Minutes.

   Executive Director Pat Mallon reported one correction on page 2 under Directors' Report, reference to Assembly Bill should read AB 1486. **MOTION APPROVED with correction noted.**

IV. CONSENT CALENDAR – (None)

V. REPORTS – (2–5)

2. Committee Reports
   a. Finance Committee – No Report
   b. Legislative Committee – No Report
   c. Operations Committee – No Report
   d. Technical Committee – No Report

3. Director's Report – Pat Mallon

   Executive Director Pat Mallon began with an update on the status of the LMR Procurement which was approved for release by this Board on October 4, 2012. The RFP was released on Thursday, October 25, 2012. On November 1, 2012, a Proposers' Conference was held at the Grace E. Simons Lodge. The schedule calls for proposals to be returned on January 3, 2013, at which time we will launch into the evaluation process, with the goal of presenting a proposed contract to the Board for consideration in June 2013. The details of the evaluation process will be covered under Agenda Item 8. We did offer potential proposers the opportunity to visit some of the sites. We have received requests from two vendors to visit a total of 39 sites. Those will all be accomplished next week.

   As far as other LMR activities, we continue to participate in a NPSTC T-Band Working Group. As mentioned before, the intent of that effort is to provide Congress with an impact report on what the take back of the T-Band will have on the 11 major jurisdictions. And at the present time, we are assembling cost information on what that replacement would look like.

   As far as the LTE System, we are still on hold. We shared correspondence from the Chair of this Board to the Chairperson of the FirstNet Authority and a copy of the letter in response to this subject matter.

   We are holding release of a draft letter to NTIA requesting approval to move forward with the LA-SafetyNet or the LA-RICS LTE System. On Tuesday, NTIA sponsored a conference call with the seven BTOP Recipients to advise us that a subcommittee of the FirstNet Authority has been appointed with direction to visit each one of the seven projects before the end of this year. We will be working with BAY-RICS and the State of California to present a complimentary approach to how we can provide a robust public safety broadband system in California.

At the September 25, 2012 FirstNet Authority meeting, one of the Board Members presented a PowerPoint Presentation which conveyed his vision on how the National Public Safety Broadband System could work. That individual is a member of the Commercial Industry and so it was obviously very reliant on the Commercial's System for nationwide coverage. One of our concerns is that, push-to-talk in the LTE System was not included and is not being considered for inclusions in the early versions of the national system. NTIA on behalf of FirstNet asked for feedback. We have prepared a response to the Notice of Inquiry which is due later this afternoon. Our response points to a number of concerns, including highlighting the need for a hardened system and this was particularly evident with the commercial outages after the event of Hurricane Sandy. Twenty-five percent of the cellular coverage in the affected area was shut down. We also emphasized the need for a push-to-talk and are offering LA-RICS as a platform for a learning opportunity.

Chairman Bill Fujioka asked that the Board designate a dedicated discussion of what is happening with FirstNet and discuss the direction being taken. When it was made known that the principle presenter was from the commercial industry that resulted in concern. Chairman Fujioka stated, "If it is the administration or if it is the Feds intent to push our radio system into the commercial area, we should voice our objections".

Board Member LeRoy Jackson asked if this was something that the Legislative Committee could look into?

Chairman Fujioka stated, yes, the Legislative Committee could look further into this; and, again emphasized that he would like to have a full presentation at the next Board meeting to talk about all the concerns regarding this matter, and discuss a possible legislative approach to this.

Executive Director Pat Mallon stated, hopefully we will have the opportunity to meet with the subcommittee before the December 2012 LA-RICS Board Meeting.

Chairman Fujioka stated, at least as a group we can agree about our strong concerns because that has all the makings of a major problem.

5. Grant Status Report – Pat Mallon (taken out of sequence)

Executive Director Pat Mallon reported there is no significant change in the BTOP or the SHSGP Grants. The City of LA provided their report for the UASI Grants to the Members of this Board.

4. Project Management Report – Pat Mallon (taken out of sequence)

Executive Director Pat Mallon stated that the Board Members received a copy of the Jacobs Project Management Services report as part of this agenda.

VI. DISCUSSION ITEMS (6–8)

6. County of Los Angeles Board of Supervisors Motion Regarding Procurement Process Review

Executive Director Pat Mallon stated, on October 23, 2012, the Los Angeles County Board of Supervisors entertained a motion from Supervisor Yaroslavsky pertaining to County Procurements particularly of the IT nature and he included a request that the proceedings be conveyed to the LA-RICS Board. The motion recommends that the County CEO's office, County Counsel, ISD, and Public Works conduct a review of the procurement practices and recommend changes that will enhance the County's ability to procure products and services in the most cost-effective, expeditious, and fair manner. The motion considers whether release of a draft Request for Proposal soliciting industry input prior to final release should be considered. In addition, the motion requests that the LA-RICS Board consider incorporating any results of the review into future procurements, as appropriate.

Board Member LeRoy Jackson asked if this did not apply to the current RFP for the LMR System?

Executive Director Pat Mallon stated it did not apply to the LMR System because the RFP had already been approved prior to the release of this motion. Furthermore, it is a decision that this Board can take, and that he would be returning to this Board to seek specific direction as to whether you want specific components implemented or not.

7. Letter Received from California Technology Agency

Executive Director Pat Mallon provided a copy of a letter from the California Technology Agency who has been designated as a single point of contact in California for the FirstNet Authority. They are going to be setting up a series of three informational meetings and forums in the November-December (2012) timeframe to discuss the national public safety broadband network, as well as California's governance structure. We have not received any dates as to when that will occur. We are in frequent contact with CTA and are certainly going to be an active participant, hopefully, in the Statewide Governance System.

IX. PUBLIC COMMENTS – (taken out of sequence)

Lisa Specht – Speaker Card for Agenda Item #8

Lisa Specht of Manatt, Phelps, & Philips spoke on behalf of Raytheon:

Ms. Specht stated that they have expressed concern in the past about proposal evaluations given the previous failed procurement attempts and that her client is very concerned that going forward the procurement process be fair and completely transparent.

Ms. Specht reiterated that everyone must be confident that the selection of evaluators is unbiased and appropriate to the procurement.

Ms. Specht stated that she understood that members of previous evaluation committees will not be allowed to participate. However, excluding evaluators involved in the previous two RFPs obviously shrinks the pool of qualified individuals with the necessary expertise to understand and evaluate the particularly complex technology at issue.

Ms. Specht further stated, as it is, the Authority had a lot of difficulty getting qualified evaluators the second time around, and, even then there is some question about the qualifications and expertise of those individuals.

Ms. Specht identified the issue of evaluator qualifications as one of utmost importance.

Ms. Specht asked what will this Board do to ensure evaluation committee quality control?

Ms. Specht urged the Board to consider retaining outside consultants who are knowledgeable about the complex technology being purchased. Going with an outside firm in whole, or to supplement qualified evaluators from the County, would ensure a process untainted by allegations of unqualified evaluators and/or bias.

Ms. Specht stated that a comprehensive review of the proposals requires oral presentations to describe and clarify proposal contents. This happened in the first RFP, but not the second. She expressed disappointment that this third RFP did not specifically point out the need for oral presentations given what occurred last time.

Ms. Specht urged the Board to direct staff to require oral presentations to facilitate the selection of the most qualified proposer.

Finally, Ms. Specht stated that she understood that one of the reasons there were no oral interviews in the last go-around was time constraints. However, this process cannot be rushed. She requested that the Board require enough time for conscientious evaluation of the proposals.

VI. DISCUSSION ITEMS (6–8) Continued

8. RFP # LA-RICS 007 (Land Mobile Radio System) Proposal Evaluation Committee (taken out of sequence)

Executive Director Pat Mallon stated that Agenda Item 8 is a request that Board Members of the authority provide names of those individuals they would like to be considered as members of the evaluation team.

Members of the evaluation committee for the current procurement should not be those who have participated in the evaluation committee in the first or second procurement. Members of the negotiating teams in the first and second procurement can participate as members of the evaluation team. A copy of Counsel's memorandum will be circulated to the Board. These parameters provide for an enhanced pool of candidates that can participate in the evaluation team. We do anticipate the evaluation committee will be comprised of individuals with both technical and/or operational experience. It will include a vetting of proposed team members to exclude members with any kind of financial interest or bias. We do anticipate the use of SMEs. We have two independent companies under contract, one with the County and one directly with the Authority, with technical expertise to provide gap analysis. Oral presentations are included in this RFP, as were included in the previous procurement. Oral presentations are at the option/discretion of the evaluation committee. The previous procurement evaluation committee did not request/opt for oral presentations, not due to time limitations. We have the same option for oral presentations this time, and the need for oral presentations will be determined by the evaluation committee, as to whether they deem oral presentations of advantage in helping them perform an evaluation.

Executive Director Pat Mallon stated that his request is for members of the authority to provide names of candidates we can contact to serve on the Evaluation Committee. Information is requested by Thanksgiving. We would like to begin the vetting process the week after Thanksgiving, so we can put the team into a training by both ISD (acting as coordinator for procurement), training on the requirements of the proposals, as well as technical presentations. We would like to start training during the first week of December 2012, so we can be ready to start evaluations on January 3rd, when proposals are received.

Chairman Fujioka asked if we can also broaden the pool to include retirees?

Executive Director Pat Mallon stated, yes. Certainly there are technical and/or operational experts that have retired from service from any of the Authority agencies. And, if we cannot achieve an adequate number of candidates from the member agencies, we could consider operational and technical experts that have retired from the adjoining agencies, such as Orange County, and Riverside and San Bernardino Counties.

Board Member LeRoy Jackson asked if it would it be a possibility to use consultants?

Executive Director Pat Mallon stated, the technical experts we have as consultants under contract with either the County or the Authority, will be used as SME's, not evaluators. We anticipate we could go to other governmental agencies or retirees to accumulate an appropriate level of expertise.

Board Member Reginald Harrison requested staff identify the evaluators used previously from his agency, so he would not submit their names for consideration again.

Executive Director Pat Mallon stated he would provide those names.

Board Member Greg Simay asked, someone who participated only as a negotiator, can be an evaluator this round?

Executive Director Pat Mallon stated, yes.

Board Member Greg Simay asked, but if they were an evaluator, they cannot be a negotiator this time around?

Executive Director Pat Mallon stated if they were a negotiator in 1 or 2, they can be a negotiator in round 3.

Board Member Daryl Osby asked what is the objective of the Counsel memorandum being sent to the Board this afternoon?

Executive Director Pat Mallon stated it is a legal opinion on the risk issues in the fielding of the evaluation team. It codifies the parameters mentioned today in presentation regarding the composition of the team and their involvement in round 1 & 2 as evaluators, but may be involved as negotiators.

Board Member Daryl Osby stated he would like to direct evaluators to request oral presentations.

Executive Director Pat Mallon stated if the Board wants to provide that direction regarding oral interviews, then it could do so.

Chairman Fujioka recommended we put the evaluation team together, put thought into how we want to structure the process, and do it all at once. Let's think about it and come back at the next meeting, to set parameters, and move forward.

Board Member LeRoy Jackson stated, in the past, the team has not come back.

Chairman Fujioka replied, we will come back at the next meeting to develop some recommendations, and give those recommendations to the team, with instructions to proceed in that manner.

Board Member LeRoy Jackson asked, who are the two consulting firms/SME's?

Executive Director Pat Mallon replied, they are Deltawrx and Jacobs team.

Board Member LeRoy Jackson questioned, I thought Deltawrx was involved in the assessment in the previous round?

Executive Director Pat Mallon replied, they were involved as SME's in the first round, not as evaluators.

Board Member LeRoy Jackson clarified, we can have technical experts even though they were involved previously, but not as evaluators?

Executive Director Pat Mallon replied, correct.

Board Member LeRoy Jackson asked, and neither Deltawrx or Jacobs will be involved as evaluators this round?

Executive Director Pat Mallon replied, correct.

Chairman Fujioka stated, given what I just recommended, if you have any other recommendations, please share them with Pat. If you have requests or additional information, please contact him directly. Pat, as information comes forward, please share with all Board members, so that everyone is involved, and we are all on the same page for the next meeting.

VII. ADMINISTRATIVE MATTERS (9)

9. Accept 2009 State Homeland Security Grant Program (SHSGP) Funds – Pat Mallon

RECOMMENDATION: It is recommended that your Board:

a. Accept $704,475 in grant funds from the Fiscal Year 2009 State Homeland Security Grant Program (SHSGP) as distributed through the California Emergency Management Agency (Cal-EMA); and,

b. Authorize the Executive Director to execute the attached 2009 Homeland Security Grant Program Sub-recipient Agreement between the County of Los Angeles and the Authority.

Executive Director Pat Mallon stated that the Action Item 9 is to request the Board's approval and to authorize the Authority to accept the SHSGP '09 funds in the amount of $704,475. The use of this $704,475 is to pay the Jacobs team for three studies that have been completed. One was the 700/800 MHz study. The second was the Feasibility Study for a Hybrid System. And, the third was a site analysis for all the LMR sites, totaling $704,475. Approval of this item will allow the Authority to send those invoices to the State for payment of the $704,475.

Board Member Reginald Harrison asked, is there a spending plan in place for the remaining SHSGP and UASI funds as well?

Executive Director Pat Mallon stated, we returned the UASI '08 funds. There was a portion of the allocation of these funds that was dedicated to offset some of the cost of acquiring consoles through the County. That has resulted in some hurdles that had to be overcome. It is my understanding from the UASI Authority that those funds are now being repurposed. So how that $7 million will be recovered in future UASI years is yet to be made clear. We have developed a spending plan, and what funds can be used to move forward for both the Project Management as well for the LMR System contract. Our timeframe is a little unclear. What is clear is that we are going to have to get extensions on UASI '09 & '10, as well as SHSGP. And, we are working with the SHSGP Approval Authority and the UASI Approval Authority, to seek those extensions through Cal-EMA and FEMA.

Board Member Reginald Harrison asked if there are no assurances that those extensions will be granted.

Executive Director Pat Mallon stated not at this point.

Chairman Fujioka stated we need to put a full-court press on our friends in DC. Thank you.

Board Member Greg Simay stated, I think policy wise from the point of view of this body's preference is to hold on to all the grant money and make it do its work for the LA-RICS System. If, in spite of our best intensions, we are unable to get extension and we are unable to spend the funds, then the fall back is to at least make sure that they are spent locally rather than returned. But then, we need to know that in a timely enough fashion so that all parties would have enough time to weigh in on the process.

Executive Director Pat Mallon stated we are having a continuous dialog regarding that very fact. My understanding from the City UASI coordinator is that the UASI Authority has requested the identification of projects that can be completed within the grant's performance timeframes.

MOTION APPROVED.

VIII. MISCELLANEOUS – (None)

X. ITEMS FOR FUTURE DISCUSSION AND/OR ACTION BY THE BOARD

10. Full Presentation and Discussion of FirstNet
11. Project Funding
12. Project Risk Controls

XI. ADJOURNMENT

Chair Bill Fujioka adjourned the meeting at 9:35 a.m.

Los Angeles Regional Interoperable Communications System

PROJECT DESCRIPTION

Events of 9-11-01 have highlighted the need for first responders to be able to communicate with each other. Emergency communications primarily address local jurisdictional needs. Most agencies utilize separate radio towers and equipment, often co-located as seen here, and separate radio frequencies.

Currently, there is duplication of costs and first responders cannot communicate with each other. Many legacy systems around the County are obsolete and well beyond their useful life. The LA-RICS Project Vision is to construct, own, operate, and maintain a regional, interoperable public safety radio system. The program will establish a County-wide public safety wireless voice and data radio system for all first and secondary responders. Existing radio frequencies will be pooled and the current infrastructure utilized wherever practical. New FCC licensed broadband spectrum will be utilized.

Design, construction, and deployment of two County-wide systems (1) Land Mobile Radio (LMR) voice network will utilize roughly a pool of 111 existing communications sites and (2) Long Term Evolution (LTE) broadband data network will utilize a pool of 255 existing communications sites. Both systems will comply with CEQA and NEPA standards.

Project and Construction Management Services will provide network, infrastructure, project, and advisory services across 5 program phases:

- **Phase 1 - System design**
- **Phase 2 - Site construction and modification**
- **Phase 3 - Supply telecommunication system components**
- **Phase 4 - Telecommunications system implementation**
- **Phase 5 - Telecommunications system maintenance**

Location: ***2525 Corporate Place, Ste 200 Monterey Park, CA 92754***

Authority: **Los Angeles Regional Inter-operable Communications System**

Management: **LA-RICS Project Team**

Consultant: **Jacobs Project Management Company**

Communications Vendor: **TBD**

LA-RICS

Monthly Report No. 8
For November, 2012
Submitted November 29, 2012

JACOBS®

Program and Construction Management
600 Wilshire Boulevard, Suite 1000
Los Angeles, California 90017

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AGENDA ITEM 4

PROGRAM DASHBOARD

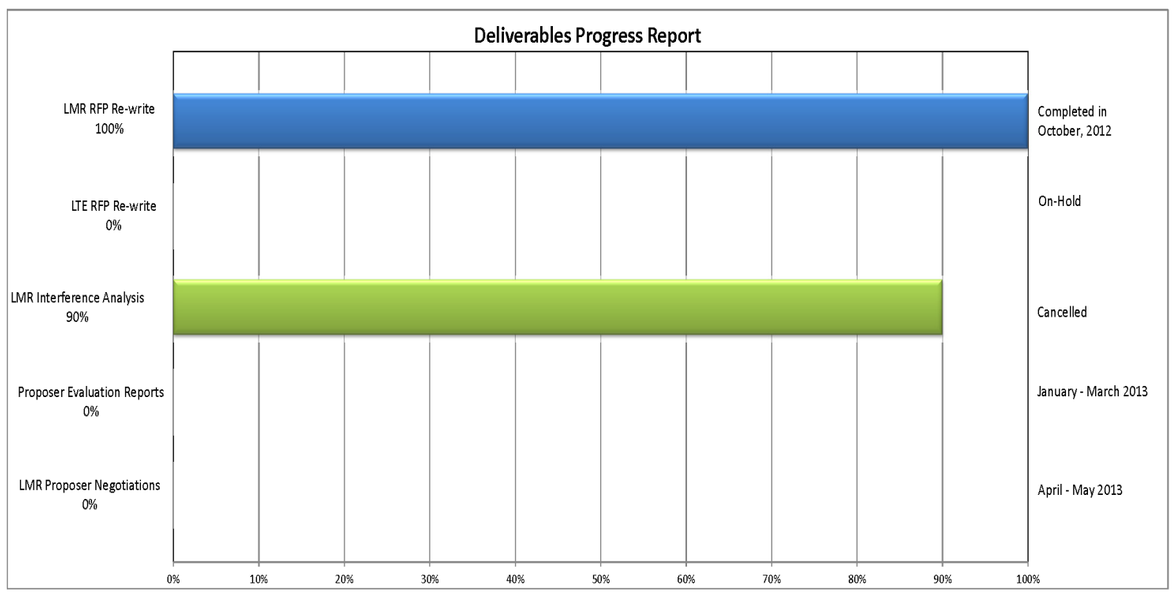
Category	Rating	Change	Comments
Safety		From Yellow	
Quality		No Change	
Schedule		From Green	Tight schedule to shelter grant funding.
Cost/Budget		From Green	Grant funding at risk.
Risk		From Red	
Customer Satisfaction		No Change	
Project Staffing		No Change	

RISK REGISTER

Title	Assigned To	Status	Impact	Category	Created Date	Due Date
700 MHZ	Pat Mallon	Active	High	Category 1	07/26/2012	09/06/2012
Potential loss of grant funding	Pat Mallon	Active	High	Category 1	08/29/2012	10/04/2012
Environmental requirements for LTE sites used in the LMR RFP	Nancy Yang	Active	Medium	Category 1	09/18/2012	
LMR & LTE site use agreements need to be executed	Nancy Yang	Active	Medium	Category 1	09/18/2012	
NTIA/FirstNet go-ahead for LTE RFP	Pat Mallon	Active	High	Category 1	10/24/2012	

DELIVERABLE STATUS PHASE 0

ITEM	STATUS	DUE DATE
1. LMR RFP RE-WRITE	1. COMPLETED	1. OCTOBER, 2012
2. LTE RFP RE-WRITE	2. ON HOLD	2. TBD
3. LMR INTERFERENCE ANAYLYSIS	3. CANCELLED	3. N/A
4. PROPOSER EVALUATION REPORT	4. NOT YET STARTED	4. JANUARY - MARCH, 2013
5. LMR PROPOSER NEGOTIATIONS	5. NOT YET STARTED	5. APRIL - MAY, 2015



LA-RICS MASTER CALENDAR

LA-RICS

LA-RICS Master Calendar

As of Monday, 26 November 2012

December 2012

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3 0800-ESM Evaluation team training thru 7 Dec -Jeanette -SMEs	4	5	6 1600 – RFP Deadline to Request Solicitation Requirements Review	7	8
9	10 0800-ESM Evaluators review RFP through 14 Dec	11	12	13 0900 - JPA BOD Mtg	14	15
16	17 0800-ESM	18	19	20	21	22
23	24 Christmas Eve	25 Christmas	26	27	28 Agenda Posting for November JPA Board Meeting	29
30	31 New Year's Eve					

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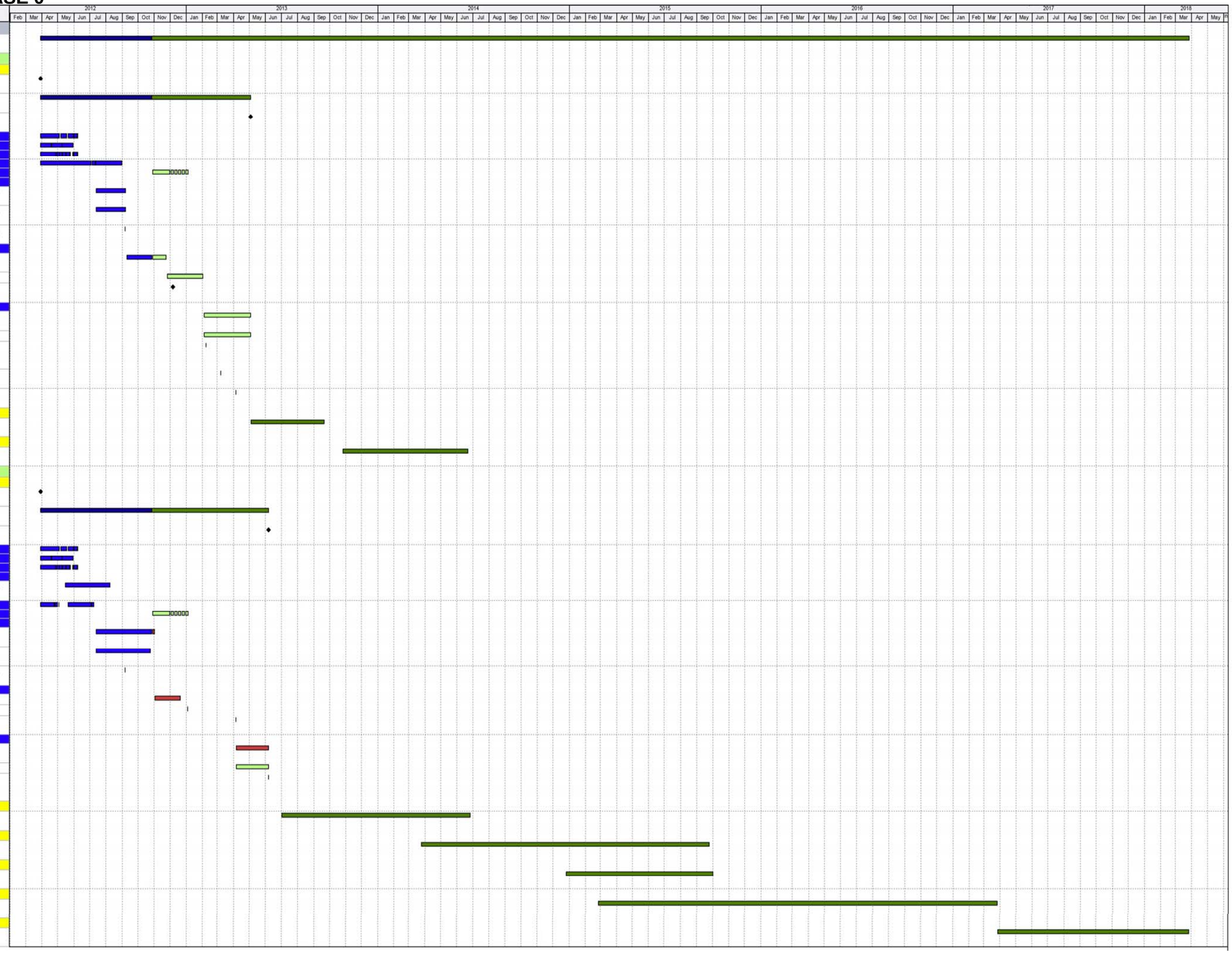
LA-RICS MASTER SCHEDULE PHASE 0

Activity ID	Activity Name	Duration	Start	Finish
LA-RICS - Phase 0				
MS-0210	LARICS Master Program Summary	2190	29-Mar-12 A	27-Mar-18
LTE (Long Term Evolution) Network				
9.1 LTE - Preliminary Phase - Project Setup				
LTE1-STMS	Start LTE - Preliminary Phase Project Setup	0	29-Mar-12 A	
LTE1-SMMRY	Summary LTE - Preliminary Phase Project Setup	401	29-Mar-12 A	03-May-13
LTE1-FNMS	Finish LTE - Preliminary Phase Project Setup	0		03-May-13
9.1.1 LTE - Document Management				
9.1.3 LTE - Cost Modelling				
9.1.4 LTE - Project Delivery Plan (PDP)				
9.1.5 LTE - Site Valuation/Assessments				
9.1.X LTE - Community Outreach Support (TBD)				
9.1.7 RFP Re-Write				
LTE1-8000	Gather & Compile input for Addendum/RFP	41	13-Jul-12 A	07-Sep-12 A
LTE1-8100	Support LARICS for preparing Addendum or RFP	41	13-Jul-12 A	07-Sep-12 A
LTE1-8200	Board Approval for release of Addendum or RFP	1	06-Sep-12 A	06-Sep-12 A
9.1.8 Compliance Analysis				
LTE1-8300	Support Prep for Evaluations	55	10-Sep-12 A	23-Nov-12
LTE1-8400	Support for Proposal Evaluations	50	26-Nov-12	01-Feb-13
LTE1-3910	LARICS Board Approval to enter into Negotiations	0	06-Dec-12*	
9.1.9 LTE - Vendor Negotiations				
LTE1-3900	Contract Negotiations with Telecommunications Vendor	65	04-Feb-13	03-May-13
LTE1-3930	Support for Vendor Negotiations	65	04-Feb-13	03-May-13
LTE1-3920	LARICS Board Approves Telecommunications System Vendor Selection	1	07-Feb-13	07-Feb-13
LTE1-3940	LARIS Board Pre-Briefing of Vendor Contract	1	07-Mar-13	07-Mar-13
LTE1-3950	LARICS Board approves Telecommunication Vendor's Contract	1	05-Apr-13	05-Apr-13
9.2 LTE - Phase 1 - System Design				
LTE2-SMMRY	Summary LTE - Phase 1 System Design	140	04-May-13	20-Sep-13
9.4 LTE - Phase 3 - Site Construct & Site Modification				
LTE4-SMMRY	Summary LTE - Phase 3 Site Construct & Site Modification	239	26-Oct-13	21-Jun-14
LMR (Land Mobile Radio) Network				
9.1 LMR - Preliminary Phase - Project Setup				
LMR1-1600	Start LMR - Preliminary Phase Project Setup	0	29-Mar-12 A	
LMR1-SMMRY	Summary LMR - Preliminary Phase Project Setup	435	29-Mar-12 A	06-Jun-13
LMR1-1700	Finish LMR - Preliminary Phase Project Setup	0		06-Jun-13
9.1.1 LMR - Document Management				
9.1.3 LMR - Cost Modelling				
9.1.4 LMR - Project Delivery Plan (PDP)				
9.1.5 LMR Site Evaluation				
LMR1-6410	LMR Site Evaluations	60	15-May-12 A	08-Aug-12 A
9.1.6 LMR - LMR Network Analysis				
9.1.X LMR - Community Outreach Support (TBD)				
9.1.7 Input to RFP				
LMR1-8000	Support LARICS for preparing RFP	80	13-Jul-12 A	01-Nov-12
LMR1-8010	Gather & Compile input for RFP	74	13-Jul-12 A	24-Oct-12 A
LMR1-8020	Board Approval for release of RFP	1	06-Sep-12 A	06-Sep-12 A
9.1.8 Compliance Analysis				
LMR1-8030	Support Prep for Evaluations	35	02-Nov-12	20-Dec-12
LMR1-8040	Support for Proposal Evaluations	1	03-Jan-13	03-Jan-13
LMR1-8050	LARICS Board Approval to enter into Negotiations	1	05-Apr-13	05-Apr-13
9.1.9 LMR - Vendor Negotiations				
LMR1-1100	Contract Negotiations with Telecommunications Vendor	62	06-Apr-13	06-Jun-13
LMR1-1110	Support for Vendor Negotiations	62	06-Apr-13	06-Jun-13
LMR1-1120	LARICS Board Approves Telecommunications System Vendor Selection	1	06-Jun-13	06-Jun-13
9.2 LMR - Phase 1 - System Design				
LMR2-SMMRY	Summary LMR - Phase 1 System Design	359	02-Jul-13	25-Jun-14
9.4 LMR - Phase 2 - Site Construct & Site Modification				
LMR4-SMMRY	Summary LMR - Phase 2 Site Construct & Site Modification	549	25-Mar-14	24-Sep-15
9.3 LMR - Phase 3 - Supply Telecom. System Components				
LMR3-SMMRY	Summary LMR - Phase 3 Supply Telecom. System Components	280	26-Dec-14	01-Oct-15
9.5 LMR - Phase 4 - Telecom. System Implementation				
LMR5-SMMRY	Summary LMR - Phase 4 Telecom. System Implementation	761	25-Feb-15	26-Mar-17
9.6 LMR - Phase 5 - Telecom. System Warranty				
LMR6-SMMRY	Summary LMR - Phase 5 Telecom. System Maintenance	365	28-Mar-17	27-Mar-18



AGENDA ITEM 4

LTE UPDATES

LTE TECHNOLOGY

- Provided support to DeltaWrx in preparation of LTE RFP.
- LTE technology activities are moving slowly pending adoption of resolutions by FirstNet regarding National requirements and standards for system architectures.

LMR UPDATES

LMR TECHNOLOGY

- LARICS RFP #007 has been released and all LMR Technology Activities are on hold pending receipt of Vendors' proposals in January, 2013.

LTE SITES/CIVIL

- LTE Sites/Civil activities are on hold pending adoption of resolutions by FirstNet regarding National requirements and standards for system architectures.

LMR SITES/CIVIL

- LARICS RFP #007 has been released and all site Civil Activities are on hold pending receipt of Vendors' proposals.

ACTIVITES COMPLETED IN NOVEMBER 2012

- Attended weekly LA-RICS Executive staff meetings and provided program updates.
- Continue to work with the Authority on the preparation of Evaluation Documents.
- Established procedures and timeline for advising the Evaluation Committee on reviewing responses to the RFP.
- Provided answers to questions submitted and requested by various potential proposers and vendors.
- Participated in the RFP 007 Proposer's Conference held on November 1, 2012.
- Assisted the Authority in drafting the various Addendums to the RFP in response to questions submitted and/ or clarifications requested by potential proposers.
- Assisted the Authority in drafting LA-RICS Notice of Intent response to the NTIA.
- Continue to work with the Authority on the preparation of the Project Professional Reference Checks and Proposer Project Reference Check questionnaires for RFP evaluation.

ACTIVITES PLANNED FOR DECEMBER 2012

- Participate in the FirstNet visit to the LA-RICS offices scheduled for December 19, 2012.
- Participate in the Evaluation Team training process
- Continue to assist the Authority in responding to questions and clarifications relative to the RFP
- Continue the preparation for the evaluation process.
- Began preparation for the negotiation phase.
- Provide technical support for Evaluator Training.

LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

2525 Corporate Place, Suite 200
Monterey Park, California 91754
(323) 881-8291

PATRICK J. MALLON
EXECUTIVE DIRECTOR

December 13, 2012

Board of Directors
Los Angeles Regional Interoperable Communications System Authority (the "Authority")

Dear Directors:

ORAL PRESENTATIONS

SUBJECT

Provide direction to the Request for Proposals (RFP) # LA-RICS 007 Evaluation Team regarding oral presentations.

IT IS RECOMMENDED THAT YOUR BOARD:

Provide direction to the evaluation committee regarding oral presentations.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to address Board Member Osby's request at the November 8, 2012 Board meeting to instruct evaluation team members to conduct oral presentations as part of the evaluation process. RFP # LA-RICS 007 currently provides that oral presentations may be conducted in the Authority's sole discretion. The Board should consider what direction, if any, it wants to provide regarding oral presentations that are within the parameters of the rules set forth in the current RFP.

FISCAL IMPACT/FINANCING

There is no fiscal impact.

FACTS AND PROVISIONS/LEGAL REQUIREMENT

The Authority's counsel has reviewed the recommended action.

AGREEMENTS/CONTRACTING

No Agreements necessary.

Respectfully submitted,

PATRICK J. MALLON
EXECUTIVE DIRECTOR

PJM:soc

c: Counsel to the Authority

AGENDA ITEM 6

LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

2525 Corporate Place, Suite 200
Monterey Park, California 91754
(323) 881-8291

LA-RICS

PATRICK J. MALLON
EXECUTIVE DIRECTOR

December 13, 2012

Board of Directors
Los Angeles Regional Interoperable Communications System Authority (the "Authority")

Dear Directors:

SERVICES CONTRACT SOLICITATION PROTEST POLICY AMENDMENT

RECOMMENDED ACTION

1. It is recommended that your Board accept recommended changes to the previously adopted County of Los Angeles ("County") Services Contract Solicitation Protest Policy, to reflect Proposed Contractor Selection Review to be heard and decided by a retired judicial officer chosen in the Authority's sole discretion (the "Review Officer") based upon the following:
   a. The Proposer's written request for Proposed Contractor Selection Review;
   b. Any briefing in response to the Proposer's written request for Proposed Contractor Selection Review; and
   c. A review meeting before the Review Officer. The Review Officer, in his/her sole discretion, may entertain the presentation of facts, comments, and arguments relevant to the issues under review.

2. Authorize the Executive Director or his designee to issue Addenda E to RFP # LA-RICS 007, reflecting the above-mentioned change in the protest policy and as set forth in Attachment A.

BACKGROUND

On October 4, 2012, your Board, among other things, adopted the County procurement and contracting policies, programs and procedures for purposes of the RFP for the Land Mobile Radio ("LMR") system and any contract resulting from the RFP, to the extent, and in the manner, reflected in the RFP.

The County's services contract solicitation protest process consists of three stages of review: (1) a Solicitation Requirements Review, which allows prospective proposers to, among other things,

AGENDA ITEM 7

request a review of the RFP's requirements or processes; (2) Disqualified Proposal Review, which allows proposers, among other things, to challenge disqualification of its proposal as non-responsive; and (3) Proposed Contractor Selection Review, which allows proposers to challenge the selection of a proposed contractor on the grounds, among other things, that the Authority materially failed to follow procedures set forth in the RFP or made identifiable mathematical or other errors. The Proposed Contractor Selection Review stage further consists of two levels of review: (a) the initial Proposed Contractor Selection Review, which is conducted by a person with services contracting knowledge who did not participate in a substantial manner in the solicitation and (b) the Review Panel, which is conducted by a three member Panel. Your Board determined the Authority's services contract solicitation protest process would be administered by County contracting staff.

We are now recommending a change to the third stage of review in the County's protest policy, the (3) Proposed Contractor Selection Review (a) and (b). The proposed changes to the protest process set forth in the current LMR RFP are attached hereto as Attachment A. Under the current recommendation, the Proposed Contractor Selection review will be combined into one level of review, and will be heard and decided by a single Review Officer. The Review Officer will be a retired judicial officer. If the recommendation is approved by the Board, a proposer requesting a Proposed Contractor Selection review will no longer be required to undergo the County's current two-step process and will be able to proceed directly to having its protest grounds reviewed and heard by the Review Officer. The proposer requesting the review will still be required to submit a written request setting forth the basis for the Proposed Contractor Selection Review, and the Review Officer will allow for written responses to be submitted addressing the issues raised by the requesting proposer. In addition, the Review Officer will hold a review meeting regarding the grounds asserted in the requesting proposer's Proposed Contractor Selection Review.

Within ten (10) days following completion of the review meeting, the Review Officer will issue a written Memoranda of Findings and Recommendation (the "Recommendation Memorandum") to the Proposer, Authority, and the recommended Proposer. Like the County's current protest process, the review process undertaken by the Review Officer is not a formal legal proceeding, and the resulting recommendations from the Review Officer are advisory only and not binding on the Authority's Board of Directors. The Authority's Executive Director will present the Review Officer's Recommendation Memorandum to the Board, who will determine, in its sole discretion, whether to grant or deny the protest. Your Board would continue to determine whether to grant or deny the protest of the Proposed Contractor Selection and, if the protest is granted, what action be taken as a consequence.

PURPOSE/ JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this action is to change the administrative review process in two ways: (1) collapse the current two-step review provided for in the Proposed Contractor Selection Review into a single level of review, and (2) have the review conducted by a retired judge instead of a panel of County procurement personnel. Approval will provide for a Review Officer to conduct the Proposed Contractor Selection Review as described herein. The benefits of adopting this recommended action are: (1) the procurement protest process would be expedited without compromising the integrity of the evaluation process; and (2) the Review Officer would continue to provide an independent and objective view of the procurement process.

FISCAL IMPACT/FINANCING

There is no fiscal impact at this time.

Respectfully submitted,

PATRICK J. MALLON
EXECUTIVE DIRECTOR

PJM:soc

Attachment

cc: Counsel to the Authority

5.8 Protest Process

Any prospective Proposer may request a review of the requirements of this RFP, as described in Section 5.8.1 below. Additionally, any actual Proposer may request a review of a disqualification or of a proposed contractor selection under this RFP, as described respectively in Sections 5.8.2 and 5.8.4 below. Under any such review, it is the responsibility of the Proposer challenging the decision of the Authority to demonstrate that the Authority committed a sufficiently material error in the solicitation process to justify invalidation of a solicitation requirement, disqualification or a proposed contractor selection, as the case may be.

Throughout the review process, the Authority has no obligation to delay or otherwise postpone an award of an Agreement based on a Proposer protest. In all cases, the Authority reserves the right to make an award when the Authority determines, in its sole discretion, it is in the best interests of the Authority to do so.

The grounds for Authority review are limited to the following:

a. Solicitation Requirements Review

b. Disqualified Proposal Review

c. Proposed Contractor Selection Review

To the extent procedures for conducting the review process are not set forth in this RFP, the Authority will use the substance of the procedures set forth in Los Angeles County Board Policy 5.055 (Services Contract Solicitation Protest) and the implementation guidelines and procedures from time to time issued thereunder (collectively, the "Guidelines"), except as modified by the express terms of this Section 5.8 (Protest Process). In addition to any other modifications included in this Section 5.8 (Protest Process), the Guidelines are modified in the following respects:

a. As used in the Guidelines, the term "department" shall be deemed to refer to the Authority, except when referring to the department or the departmental representative performing the Solicitation Requirements Review~~,~~ and the Disqualification Review~~, and the Proposed Contractor Selection Review~~ and preparing the written determination with respect thereto, in which case, "department" and "departmental representative" refer to the County representative designated to perform the review and prepare the written determination.

b. The "Proposed Contractor Selection Review" section in the Guidelines is modified as specifically set forth in this RFP. Further, the following sections set forth in the Guidelines will not apply in this RFP: "County Review Panel Process", "Request to Convene a Panel; Required Panel Materials", "Selection of Panel Members", "Brown Act

Considerations", "Chair Responsibilities", "Conducting the Review Panel", "Panel Responsibilities" and "Department Responsibilities".

c. The Authority in its sole discretion may modify all or any of the sample language, Transmittal Forms, and/or other sample documents referred to in the Guidelines as available at by selecting "Contracting Document Models" in order to make them applicable to the Authority and/or this RFP.

To the extent there is any conflict or inconsistency between Los Angeles County Board Policy 5.055 and the Guidelines, on the one hand, and this RFP, on the other hand, this RFP shall govern.

5.8.1 Solicitation Requirements Review

Any prospective Proposer may seek a Solicitation Requirements Review. A request for a Solicitation Requirements Review may be denied, in the Authority's sole discretion, if the request does not satisfy all of the following criteria:

a. The request for a Solicitation Requirements Review is submitted by 4:00 p.m., local Pacific Time, on the applicable date set forth in Section 1.8 (Schedule of Events), and is in the form attached hereto as Appendix P (Transmittal Form to Request a Solicitation Requirements Review);

b. The request for a Solicitation Requirements Review includes documentation that demonstrates the underlying ability of the person or entity to submit a Proposal; and

c. The request for a Solicitation Requirements Review itemizes in appropriate detail, each matter contested and factual reasons for the requested review; and

d. The request for a Solicitation Requirements Review asserts either that:

    i. Application of the minimum requirements, evaluation criteria, solicitation process and/or business requirements unfairly disadvantages the prospective Proposer; or,

    ii. Due to unclear instructions, the process may result in the Authority not receiving the best possible responses from prospective Proposers.

The Solicitation Requirements Review will be completed and the written determination shall be provided to the requesting prospective Proposer within a reasonable time prior to the Proposal due date. There are no further protest processes under this Section 5.8 for the Solicitation Requirements Review, and no grounds for review that could have been raised in a Solicitation Requirements Review will be proper or considered in any subsequent review provided for under this Section 5.8.

5.8.2 Disqualified Proposal Review

A Proposal may be disqualified from consideration because the Authority determined it was a non-responsive Proposal at any time during the evaluation process. If the Authority determines that a Proposal is disqualified due to non-responsiveness, the Authority shall notify the Proposer in writing. Upon receipt of the written notification of non-responsiveness, the Proposer may submit a written request for a Disqualified Proposal Review by the date and time specified in the written notice.

A Disqualified Proposal Review may be denied in the Authority's sole discretion if the request does not satisfy all of the following:

a. The person or entity requesting a Disqualified Proposal Review is a Proposer;

b. The request for a Disqualified Proposal Review is submitted within the period specified in the written notification of non-responsiveness; and

c. The request for a Disqualified Proposal Review asserts that the Authority's disqualification of the Proposal was erroneous (e.g., factual errors, etc.) and provides factual support on each ground asserted as well as copies of all documents and other material that support the assertions.

The Disqualified Proposal Review will be completed and the written determination will be provided to the requesting Proposer prior to the conclusion of the evaluation process. There are no further protest processes under this Section 5.8 for the Disqualified Proposal Review, and no grounds for review that could have been raised in a Disqualified Proposal Review will be proper or considered in any subsequent review provided for under this Section 5.8.

5.8.3 Intentionally omitted.

5.8.4 Proposed Contractor Selection Review

5.8.4.1.1 Non-Selected Proposer Debriefing Process

Upon completion of the evaluation, the Authority shall notify in writing all Proposers not selected for negotiations under Section 5.6 (Negotiations), that the Authority is entering negotiations with another Proposer. Upon receipt of the notice, any such Proposer may submit a written request for a non-selected Proposer debriefing within the timeframe specified in the notice. A request for a non-selected Proposer debriefing may, in the Authority's sole discretion, be denied if the request is not received within the timeframe specified in the notice. The Authority reserves the right to schedule debriefings at any time prior to or following the occurrence of both (a) completion of negotiations under Section 5.6 (Negotiations) and (b) receipt of the letter from the recommended Proposer as described in Section 2.13.1.

The purpose of the non-selected Proposer debriefing is to compare the requesting Proposer's Proposal to the solicitation document and the evaluation documents. The requesting Proposer shall be debriefed only on its response. Responses from other Proposers and/or their Proposals'

evaluation documents shall not be discussed, although the Authority will inform the requesting Proposer of its relative ranking.

During or following the non-selected Proposer debriefing, the Authority will instruct the requesting Proposer of the manner and timeframe in which the requesting Proposer must notify the Authority of its intent to request a Proposed Contractor Selection Review (see Section 5.8.4.2 (Proposed Contractor Selection Review)), if the requesting Proposer desires to request such review.

5.8.4.2 Proposed Contractor Selection Review

Any Proposer that has timely submitted a notice of its intent to request a Proposed Contractor Selection Review as described in this section (in this Section 5.8.4.2, "Requesting Proposer") may submit a written request for a Proposed Contractor Selection Review, in the manner and within the timeframe as shall be specified by the Authority.

The Proposed Contractor Selection Review is not a formal legal proceeding, and the resulting recommendations are advisory only and not binding on the Authority's Board of Directors.

If requested in its notice of intent to request a Proposed Contractor Selection Review, the Authority will provide the ~~requesting~~ Requesting Proposer with copies of the recommended Proposer's Proposal and corresponding evaluation documents (with redactions to the Proposal and corresponding evaluation documents as permitted under the California Public Records Act).

The assertions included in a request for a Proposed Contractor Selection Review may be with respect to the ~~requesting~~ Requesting Proposer's Proposal and/or with respect to the recommended Proposer's Proposal.

A request for a Proposed Contractor Selection Review may, in the Authority's sole discretion, be denied if the request does not satisfy all of the following criteria:

a. The person or entity requesting a Proposed Contractor Selection Review is a Proposer;

b. The request for a Proposed Contractor Selection Review is submitted by the date and time specified by the Authority;

c. The person or entity requesting a Proposed Contractor Selection Review asserts in detail with factual reasons one or more of the following grounds for review:

    1. The Authority materially failed to follow procedures specified in its solicitation document. This includes:

        i. Failure to correctly apply the standards for reviewing the Proposal format requirements.

ii. Failure to correctly apply the standards, and/or follow the prescribed methods, for evaluating the Proposals as specified in the solicitation document.

iii. Use of evaluation criteria that were different from the evaluation criteria disclosed in the solicitation document.

2. The Authority made identifiable mathematical or other errors in evaluating Proposals, resulting in the Requesting Proposer receiving an incorrect score and not being selected as the recommended ~~Contractor~~Proposer.

3. A member of the Evaluation Committee demonstrated bias in the conduct of the evaluation.

4. Another basis for review as provided by state or federal law; and

d. The request for a Proposed Contractor Selection Review sets forth sufficient detail to demonstrate that, but for the applicable of the grounds asserted under Sections 5.8.4.2.c.1 through 5.8.4.2.c.4 above, the Requesting Proposer would have been the highest-scored Proposer.

e. The request for a Proposed Contractor Selection Review provides factual support on each ground asserted as well as copies of all documents and other material that support the assertions.

The Proposed Contractor Selection Review shall be heard and decided by a retired judicial officer chosen in the Authority's sole discretion (the "Review Officer"), based upon the following:

a. The Requesting Proposer's written request for Proposed Contractor Selection Review;

b. The submission of any written response from the recommended Proposer (should the recommended Proposer choose to submit such a response), followed by the written response from the Authority, to the Requesting Proposer's written request for Proposed Contractor Selection Review (the written response schedule will be set by the Review Officer);

c. The following materials:

1. A copy of this RFP;

2. A copy of the Requesting Proposer's Proposal;

3. If applicable, a copy of the recommended Proposer's Proposal;

4. A copy of the evaluation documents for the Requesting Proposer's Proposal and, if applicable, for the recommended Proposer;

5. Copies of any additional correspondence to and from the Requesting Proposer;

6. A summary of the Non-Selected Proposer Debriefing, if one has been prepared; and

7. Any other pertinent documentation.

Provision of the above-referenced materials pursuant to California Public Records Act requests will be with redactions as permitted under the California Public Records Act and, as applicable, in accordance with Section 2.13 (Disclosure of Contents of Proposal).

d. A review meeting before the Review Officer regarding the grounds asserted in the Requesting Proposer's written request for Proposed Contractor Selection Review. The review meeting will be attended by the Requesting Proposer and the Authority.

The review meeting will be scheduled at a date, time, and place determined in the sole discretion of the Review Officer, but within ten (10) business days of receipt of the written response from the Authority to the Requesting Proposer's written request for a Proposed Contractor Selection Review. The Review Officer will provide written notice of the same to the Requesting Proposer and Authority, prior to the scheduled date and time. The review meeting will be limited to the issues and materials presented in the Requesting Proposer's written request for a Proposed Contractor Selection Review and the written responses thereto. The Review Officer will not allow for new issues or materials to be brought forward in the review meeting. At the review meeting, the Review Officer, in his/her sole discretion, may entertain the presentation of facts, comments, and arguments relevant to the issues under review.

Upon completing the Proposed Contractor Selection Review, the Review Officer will prepare a written Memorandum of Findings and Recommendation (the "Recommendation Memorandum") and will send the Recommendation Memorandum to the Requesting Proposer, Authority, and recommended Proposer, within ten (10) business days following the review meeting.

5.8.5 Review Panel Process

~~5.8.5~~ The Authority will neither require nor offer a Review Panel ~~P~~process. Proposers' sole administrative remedies are under Section 5.8.4, above. ~~Any Proposer that is not satisfied with the results of the Proposed Contractor Selection Review may submit a written request for review by a Review Panel in the manner and within the timeframe specified in the written decision regarding the Proposed Contractor Selection Review .~~

~~5.8.6 A request for review by a Review Panel may, in the Authority's sole discretion, be denied if the request does not satisfy all of the following criteria:~~

~~5.8.7 The person or entity requesting review by a Review Panel is a Proposer;~~

~~5.8.8 The request for a review by a Review Panel is submitted by the date and time specified by the Authority;~~

~~5.8.9 The person or entity requesting review by a Review Panel has limited the request to items raised in the Proposed Contractor Selection Review and new items that (a) arise from the written decision regarding the Proposed Contractor Selection Review and (b) are one of the appropriate grounds for requesting a Proposed Contractor Selection Review as listed in Section 5.8.2 (Disqualified Proposal Review) above; and~~

~~5.8.10 The request for review provides factual support on each ground asserted as well as copies of all documents and other material that support the assertions.~~

~~5.8.11 Upon completion of the Review Panel's review, the Panel will forward its report containing its recommendations to the Authority's Executive Director, who will provide a copy to the Proposer.~~

5.8.6 Authority Decision Concerning Proposed Contractor Selection Review Protest

Following receipt of the ~~Review Panel's report~~Review Officer's Recommendation Memorandum containing its recommendations, the Authority's Executive Director will present the Review Officer's Recommendation Memorandum ~~Panel's report~~ to the Authority's Board of Directors who will determine, in its sole discretion, whether to grant or deny the protest of the Proposed Contractor Selection and, if the protest is granted, what action should be taken as a consequence.

5.8.7 Contact/Address for Protest Requests

All protest requests and notices provided for by this Section 5.8 shall be submitted in writing to the Authority RFP Contact.