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INDIVIDUAL TECHNICAL ASSISTANCE REPORT

in response to request for technical assistance by the

Grand Forks (North Dakota Combined Law Enforcement Council

*Police Department - Police Communication
System - Police Technical Assistance Project*

May 5, 1972

Prepared by:

Public Administration Service
1313 East 60th Street
Chicago, Illinois 60637

(Per Contract J-LEAA-015-72)

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I. PRELIMINARY INFORMATION

- A. Consultant Assigned:
Sheldon A. Yefsky
Computer and Engineering Sciences
524 Golf Mill
Niles, Illinois 60648
- B. Date Assignment Received:
April 25, 1972
- C. Date of Contact with LEAA Regional Coordinator:
April 25, 1972, by J.W. Campbell, LEAA/W
- D. Dates of On-Site Consultation:
Not Applicable
- E. Individual Interviewed:
Not Applicable

II. STATEMENT OF THE PROBLEM

- A. Problem as per Telephone Conversation with J.W. Campbell of LEAA/W on April 25, 1972:

The Grand Forks, North Dakota, Police Department had received a grant from the North Dakota Combined Law Enforcement Council to establish a police communications system. A condition of the grant was that competitive bidding must be used to purchase equipment with the grant funds. A company which might be expected to bid had informally complained that the city's Request for Quotation was restrictive and heavily biased toward a competitor who was the only bidder. The Council asked LEAA to provide a consultant to assist in determining (1) if the Request for Quotation was restrictive from a technical standpoint, and (2) whether the system reflected in the Request meets the needs of the City. A May 1 deadline was stipulated. Public Administration Service was asked to, and did, provide the reviewing consultant.

- B. Problem Actually Observed:

Same as stated in II--A above.

III. FACTS BEARING ON THE PROBLEM

The documents provided did not contain systems information or engineering data (which had been provided prospective bidders at briefings), making it impossible to treat the question of need referred to in II-A above. See attached consultant's report.

IV. POSSIBLE COURSES OF ACTION

- A. Proceed to award to contract if Request for Quotation found to be technically and legally competitive.
- B. Refuse to award contract if Request for Quotation either technically or legally restrictive.

V. RECOMMENDED COURSE OF ACTION

The consultant's review of the documents determined "that there did not appear to be an exclusion of competitive bidding from a technical standpoint." The Corporation Counsel of Grand Forks had reached a similar opinion from the legal standpoint. It was recommended that the contract be awarded.

See attached consultant's report.

COMPUTER AND ENGINEERING SCIENCES

524 GOLF MILL ■ NILES, ILLINOIS 60648

Telephones: 312/674-7077 -- 647-7676

RECEIVED

MAY - 5 1972

May 3, 1972

R.A.S.

Mr. Laird J. Dunbar,
Senior Associate
Public Administration Service
1313 East 60th Street
Chicago, Illinois 60637

Subject: North Dakota Combined Law Enforcement Council
Technical Assistance for the City of Grand Forks

Dear Mr. Dunbar:

1.0 General

This report details the findings of a review of the procurement of documents for the City of Grand Forks, Police Communications Center on North Dakota Grant No. A2-9. The documents reviewed were the City of Grand Forks, North Dakota Request for Quotation entitled "Specifications for Grand Forks Police Department Communications Center" and the North Dakota Combined Law Enforcement Council Grant Award and Acceptance No. A2-9. The purpose of the review was two-fold: First, to determine if the document encourages competitive bidding; Second, to determine whether or not the radio system being procured is in keeping with the needs of the City of Grand Fork.

2.0 Conclusions and Recommendations

Initial liaison was established April 26, 1972 with the North Dakota Combined Law Enforcement Council through its Executive Director Mr. Kenneth J. Dawes. Mr. Dawes stressed the importance of a several day response. The documents were received by mail on April 28, 1972. Mr. Dawes stated that General Electric had made informal comments that the Request for Quotation restricted competition. General Electric is said to have asserted that various dimensional specifications associated with the radio console were competitively restrictive.

In my review of the specifications, I did find that there were numerous dimensional specifications provided for the radio console and associated equipment modules. In my opinion such dimensions are not crucial to a system's performance nor should they be in a bid evaluation. A bid evaluation should consider the total console design proposed by the manufacturer and the degree that the design satisfies the needs of the Police Department. There are innumerable variations of console configurations which would satisfy most any Police Departments' requirements and these are available competitively from both General Electric and Motorola.

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The Request for Quotation contains a Paragraph XIV entitled "Alternate Bids." The existence of this paragraph when coupled with the non-essential character of certain specifications leads to the conclusions that the Request for Quotation does not on its face prevent competitive bidding. Any legal interpretation regarding the exclusion of competitive bidding should of course be provided by the Corporation Counsel of the City of Grand Forks, North Dakota.

The most significant singular observation that resulted from the review of the Request for Quotation is that rather than excluding competitive bidding by providing too many specifications, the Request for Quotation lacked certain crucial specifications which could have prevented bidding. No specifications appear for the receivers or transmitters. The Request for Quotation does not contain an engineering description of the Grand Forks Police Radio System. The specification does not delineate what equipment is presently owned by the City of Grand Forks and will be integrated into the proposed new Center, and what equipment will be eliminated. There are no specifications related to cable lengths, antenna, or site locations. Further, there are no data or parameters upon which to engineer such specifications. It was, therefore, not possible for a prospective vendor to respond to the Request for Quotation without obtaining additional information not in the Request for Quotation.

The Grant Award and Acceptance No. A2-9 was also reviewed. This document is not a systems study nor does it contain data which may be useful in such a study or the engineering of a system. This document is also lacking in any overall description of the Grand Forks Police Communications Center. It does contain a catalog listing of equipment, which may or may not be the type of equipment which Motorola or another prospective vendor would bid. Because of this lack of systems information or engineering data, it is not possible to evaluate the capabilities of the Grand Forks Police Communications System. The second part of the assignment cannot be completed.

On Monday, May 1, 1972, I phoned the North Dakota Combined Law Enforcement Council and provided a verbal report to Mr. Kenneth Dawes and Mr. Bryce Hill. I stated that there did not appear to be an exclusion of competitive bidding from a technical standpoint. I also stated that I could not provide a legal opinion regarding the exclusion of competitive bidding and that LEAA should determine if costs were acceptable to LEAA. I further stated that the Request for Quotation did not provide certain data which was necessary for bidding purposes. I indicated that both documents failed to provide a complete description of the radio system and this would prevent an evaluation of applicability.

With the approval of Mr. Dawes, I called Chief S. D. Knutson and provided him with the above conclusions. In our discussion, the Chief indicated that the information missing from the Request for Quotation was provided to prospective bidders by briefings. The Chief stated that he had received a favorable opinion from Corporation Counsel and that Grand Forks was proceeding with the award of a contract.

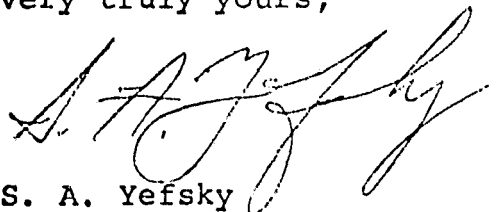
Mr. Laird J. Dunbar

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I reported the above to Mr. Kenneth Dawes. He indicated that he would advise PAS if the Law Enforcement Council wished to have further work performed on the evaluation of the Grand Forks Police Communications Center.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'S. A. Yefsky', written in dark ink.

S. A. Yefsky

SAY:jvr

END

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