

## **\$345 million Maryland Public Safety Communications System protested again**

Posted At : December 1, 2010 1:45 PM | Posted By : Jeff Webster

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The month of November has been one of the busiest months for the Maryland Board of Public Works and the Maryland Department of Information Technology. Earlier in the month, the Board was asked to approve a contract with Motorola for the **Statewide Public Safety Wireless Communication System**. Following the discussion, the Board moved to approve Motorola of the \$345 million contract, which could be in place for 14 years if all options are pursued. Once approved, ARINC issued a formal protest of this contract. This was the second protest ARINC has issued for this contract.

ARINC's second protest revolved around the change in the Minority Business Enterprise (MBE) requirements that Motorola issued earlier this month when their MBE goal was deemed low for inclusion of African Americans. ARINC is claiming that this is a breach of state contracting law as it allows Motorola to provide a second best and final offer, when other contractors were not given this opportunity. ARINC's first protest in April stated that the state used criteria not outlined in the solicitation document to evaluate proposals. That protest was thrown out by the Board of Contract Appeals.

Discussion was held by the Board of Public Works regarding the protest and if it should be sent to the Board of Contracts Appeals. DOIT stated that this project has been too long in the making and needs to be approved as soon as possible to ensure that the state does not lose out on its FCC license for this project. Currently, the state has a 700 MHz license from the FCC for this project, which is set to expire January 2012. Regardless of the points made by both the Board and DOIT, the Board motioned to approve the contract with Motorola in order to ensure that the state complies with its FCC license. The Board of Contract Appeals will still hear the protest by ARINC, and if their findings differ, the contract will be reviewed.