

Legislation Text

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Authorizing a Joint Hearing for both City Council's Committee on Public Safety and City Council's Committee on Technology and Information Systems to hold public hearings to: investigate and determine the cause of the failure of the City of Philadelphia's 62 million dollar 800 Megahertz Digital Radio System (MDRS) which occurred at 9:30 PM on Tuesday July, 22, 2008; to receive communication and instruction from the City Solicitor of the City of Philadelphia on the status of the City's legal remedies against Motorola Corporation as a result of this latest failure; to hear the Managing Director's conclusions as to the cause of these failures and her recommendations, and timeline, to correct these failures, and to identify whether or not additional funds need to be budgeted to finally solve this serious breach of public safety, and in furtherance of such investigation authorizing the issuance of subpoenas to compel the attendance of witnesses and the production of documents to the full extent authorized under Section 2-401 of the Home Rule Charter;

WHEREAS, On July 22, 2008, Police Commissioner Charles Ramsey while on patrol initiated an "assist officer" call over the Police Radio System; and

WHEREAS, Multitudes of police officers responded to this call and tried to get on the air to communicate their response; and

WHEREAS, The appropriate response of officers to the "assist officer" call was met with the failure of the City's MDRS for some 45 to 50 minutes; and

WHEREAS, Police Commissioner Ramsey has noted that "...the thing ought to work, and it's unacceptable for it not to work - 40 minutes, 45 minutes, 2 minutes, it's just way too long. When you are out there on the street, that's your lifeline..."; and

WHEREAS, Deputy Mayor Everett Gillison has committed the City "to make sure that this does not happen again"; and

WHEREAS, In July and September of 2004 City Council held hearings to investigate: 1) a September 30, 2004 memo concerning cell phone interference with Fire Department communications; 2) an April 2004 incident where a firefighter was trapped in a burning house and was seriously injured, after his radio failed to properly communicate a "Mayday" distress call; 3) circumstances where the safety of Philadelphia Police Officers were placed in jeopardy on *at least* 5 occasions when the police radio system failed to operate correctly; 4) a communication failure during attempts by officers to intervene in a running gun battle, and; 5) more than one instance of the failure of back up systems and controller cards; and

WHEREAS, In July and September of 2004, Council passed a resolution declaring that Philadelphia Fire Fighters were being placed in jeopardy on a daily basis, because the citywide radio system does not have the capability to work underground or in certain high-rise buildings, leaving them without essential communication with their commanders and other firefighters; and

WHEREAS, At the conclusion of hearings in 2004, City Council was assured that the Executive Branch had resolved the serious operating deficiencies of the MDRS; and

WHEREAS, The City hired an independent consultant to review the work of the contractor for the MDRS, Motorola Corporation; and

WHEREAS, The Local 22 and the International Association of Firefighters conducted a study into the issues surrounding the City's MDRS; and

WHEREAS, Numerous explanations have been put forth for the failures of the City's System, which include: 1) normal start up issues inherent in any large scale newly designed system; 2) the unique A & B design of the City's current system; 3) the locking up of consoles due to the failure of the " Announcement Group Function; 4) the Training protocols of the Philadelphia Police Department; 5) the inability of the system to handle large scale keying of radios by public safety personnel; 6) failures of system controllers and back-up systems; 7) lightning strikes; and 8) failures and omissions by Verizon Corporation; and

WHEREAS, The formation of the original request for proposals for the MDRS was developed by an intra-agency City team consisting of the Department of Public Property, Division of Aviation, Fire Department, Police Department, Procurement Department and other City employees; and

WHEREAS, 62 million dollars were spent on a "State of the Art" Communication system that has now failed numerous times with confusing explanations, and more than one unfulfilled assurance that these types of problems will not reoccur; and

WHEREAS, The City has also spent in excess of 1 million dollars a year on a service contract with Motorola Corporation for the maintenance of this system; and

WHEREAS, While Motorola and its contractors, who installed this system, have expended much effort to address these problems, they have not been able to correct the cause of these failures; and

WHEREAS, It is the consensus of City Council that the safety of police officers, fire fighters, and the public is threatened by these serious failures of the MDRS; and

WHEREAS, It is the consensus of City Council that the contractual obligations of the contractor (or contractors) have not been adhered to; and

WHEREAS, The inquiry into the causes of, and the final solution to, these threats to public safety involves the coordination of the Divisions of Technology and Aviation, the Police, Fire, Public Property, Procurement, Finance and Law Departments, requiring active involvement and decision making on the part of both the City Solicitor and the Managing Director of the City of Philadelphia; and

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, Authorizing a Joint Hearing for both City Council's Committee on Public Safety and City Council's Committee on Technology and Information Systems to hold public hearings to investigate and determine the cause of the failure of the City of Philadelphia's 62 million dollar 800 Megahertz Digital Radio System which occurred at 9:30 PM on Tuesday July, 22, 2008; to receive communication and instruction from the City Solicitor of the City of Philadelphia on the status of the City's legal remedies against Motorola Corporation as a result of this latest failure; to hear the Managing Director's conclusions as to the causes of the recited failures, and her recommendations and timeline to correct these failures, and to identify whether or not additional funds need to be budgeted to finally

solve this serious breach of public safety and, in furtherance of such investigation authorizing the issuance of subpoenas to compel the attendance of witnesses and the production of documents to the full extent authorized under Section 2-401 of the Home Rule Charter.