

April 20, 2011

**CALLED MEETING**  
**FLOYD COUNTY BOARD OF COMMISSIONERS**  
**April 20, 2011                      9:00 A.M.**

**PRESENT:**                      Commissioners Irwin Bagwell, Garry Fricks, Eddie Lumsden, and John Mayes.

**OTHERS**

**PRESENT:**                      County Manager Kevin Poe, County Attorney Tommy Manning, County Clerk Kathy Arp, and Assistant County Manager Blaine Williams.

**ABSENT:**                      Commissioner Chad Whitefield.

**CALL TO**

**ORDER:**                      Chairman Eddie Lumsden called the meeting to order.

**RESOLUTION AUTHORIZING CONTRACTS  
WITH HARRIS CORPORATION CONCERNING  
P25 DIGITAL PUBLIC SAFETY RADIO NETWORK  
(2009 SPLOST):**

Chairman Lumsden asked County Manager Poe to provide an overview of the contract process. County Manager Poe stated he appreciates the Commissioners taking the time to have this Called Meeting. He stated as they all know, this is an important project, and they are ready to move forward with it. They did not want further delays; however, they wanted some additional time to work out a few details to ensure everyone was fully aware of the contract documents involved and how they got to this point. He stated they have had time to get a draft of the documents to the Commissioners, and review the terms of those agreements. He deferred to the County Attorney and Assistant County Manager for their input, if any, on the documents. He stated ultimately what they want to accomplish with this action is to Adopt the Resolution presented by the County Attorney to allow them to move forward in contracting with Harris Communications on the Public Safety Radio Project.

County Attorney Manning stated the Commissioners have all reviewed this lengthy contract with him. He stated there has been a lot of work by staff, the attorneys, and Harris Corporation to put this together in a way that is a little different from many Harris contracts. The contract that they have reviewed is one master system purchase contract with many exhibits, and one software license agreement that is also an exhibit. He stated they have spent a lot of time reviewing this, and it allows Floyd County to move forward on a timeline that should meet the January 01, 2013 deadline made by the FCC (Federal Communications Commission). He stated that there is one thing he would like to note since their review, and that is that they have added language in a paragraph regarding

assignment transfer of Section 7.0 of the Software License Agreement. The language, which has been agreed to by Harris, made it clear that the software license is granted, and the license programs provided to the county under this agreement may be assigned, sub-licensed, or otherwise transferred to third parties that Floyd County does business with on this designated system where the county determines that they should be a participant in the Public Safety Communications System. He stated this will allow the county to have other governmental agencies, and even other potential private entities who have a need, to be placed on this communications system. They added very similar language in Section 33 of the System Purchase Contract that would also allow the warranties to be transferrable. He stated for example, if Cave Spring or the City of Rome had radios, they would be able to get this extended warranty that the county has negotiated. Harris was kind enough to agree to that. He stated with that, they have before them a resolution that would authorize the Chairman to execute the agreements. He will be glad to answer any questions they may have.

Assistant Manager Williams stated there was a great deal of work done, and he would like to thank the County Attorneys. He stated they are paid for their work, but they cleared their calendars and made the time to help us hit this schedule in a timely manner. He was very impressed with the level of detail that they put into reviewing this.

Chairman Lumsden called for a motion. Commissioner Mayes made a MOTION to Adopt the Resolution Authorizing Contracts with Harris Corporation concerning P25 Digital Public Safety Radio Network (2009 SPLOST). SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Mayes

Chairman Lumsden

Motion Carried

County Manager Poe stated he feels they need to give kudos to Blaine Williams, Scotty Hancock, the Public Safety Committee, Tommy Manning, and Virginia Harman for all of the hard work they put into this. He stated they appreciate Harris Corporation for working with them on this contract, and are looking forward to a great project. Chairman Lumsden stated he thinks they are all familiar with the time, effort, and energy that has been put into this project by staff, as well as the County Attorneys, over the past month particularly. He stated he would like to emphasize how much the Board appreciates the hard work that has gone into this, and the good result that has come at the end of this process.

**RESOLUTION AUTHORIZING CHANGE ORDER  
TO CONTRACT WITH TUSA CONSULTING**

## **SERVICES (2009 SPLOST):**

Chairman Lumsden asked County Manager Poe to review the proposed change order. County Manager Poe stated we are under contract with Tusa Consulting Services to be the consulting firm working with the county on this Public Safety Radio System. TUSA has presented a request for an amendment to their contract related to their scope of work, and their final fee for the total project. He stated in the proposal letter they detailed some of the significant changes that have been made to the original scope of work that was included in the request for proposal that they set their price on. He stated the total amount of the proposed amendment, as far as their fee on the contract, would be an additional \$91,355.00. Mr. Poe stated that after reviewing their request, and comparing it to what the original scope of work was, staff recommends that the Board approve the resolution to amend the contract with Tusa Consulting Services.

Chairman Lumsden called for a motion. Commissioner Bagwell made a MOTION to Adopt the Resolution to Approve a Change Order to the Consulting Agreement with TUSA Consulting Services for the Public Safety Radio Communications Systems (2009 SPLOST). SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Mayes

Chairman Lumsden

Motion Carried

## **ADJOURNMENT:**

There being no further business to come before the Board, MOTION was made by Commissioner Bagwell, SECOND by Commissioner Mayes, that the meeting be adjourned. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Mayes

Chairman Lumsden

Motion Carried

**FLOYD COUNTY BOARD OF  
COMMISSIONERS**

**EDDIE LUMSDEN, CHAIRMAN**