

PUBLIC MEETING
January 13, 2004

Treasurer/Clerk & Recorder Paulette DeHart called the meeting to order at 9:00 a.m. Others attending all or a portion of the meeting included Ron Alles, Sharon Haugen, County Attorney Leo Gallagher, Undersheriff Leo Dutton, Captain Dave Clouse, Mark Canton, J. R. Feucht, Keith Allen, Danny and Montana Marsh, Jason Mohr, and Carole Byrnes. The county commissioners are absent attending a MACo conference in Lewistown and have designated Ms. DeHart to call the meeting to order.

Bid Opening - Interoperable Communications System. County Attorney Leo Gallagher discussed the public access laws in Montana. This is the time advertised for the opening of the bids on the Lewis and Clark County Sheriff's Department Radio Project. The county is acting pursuant to Montana law Title 18 as adopted by resolution of the County Commissioners. Under that law, these bids will be opened to public inspection upon reasonable request. After the bids are opened today, the bids will be copied by the Sheriff's Department, and a copy will be made available for review by the public at the office of the County Commissioners. Upon request, a copy of those bids can be produced for anybody in the public. The administrative rules indicate that the cost associated with that copying project will be borne by the person who is requesting the copy, but they will be made available to the public for inspection or they can be inspected at the county commissioners office.

The organizational meeting for the review team that will be the committee reviewing these bids has been advertised to convene tomorrow afternoon at the Sheriff's Department at 2:00 p.m. At that time, the organizational team will set a time for subsequent meetings of the review team and we hope to have that advertised and noticed as well. Those review team meetings will be opened not for comment and not for hearing, but will be opened to the public to attend and observe that process.

Dave Clouse stated the RFP calls for the review team to work and announce back to the county commission by February 20 the apparent successful bidder.

Ron Alles stated the county commissioners are not present and they have asked the Treasurer/Clerk and Recorder to open the bids, accept the bids as noticed and the review team, as Captain Clouse stated, will make a recommendation back to the county commissioners on February 20 at which time the commissioners will select the apparent successful bidder.

Paulette DeHart stated three bids have been received.

Motorola. Bid amount \$3,397,292. No addendums. Bid signed by Vice President and General Manager. Captain Clouse stated there is a notice in this bid that the County attorney will need to review. It states "*this proposal is considered Motorola confidential and proprietary. The proposal is submitted with the restriction that it be used for evaluation purposes only and is not to be disclosed publicly or in any manner to anyone other than those employed by the county of Lewis and Clark required to evaluate the proposal without the express permission of Motorola. Motorola and stylized "M" logo are registered U.S. Patent Trademark.*" This will have to be reviewed by the County Attorney for compliance with Montana law.

County Attorney Gallagher stated the law in Montana is trade secrets and proprietary information. Once again this is open to public inspection. If somebody is creating a trading secret on it then it needs to be reviewed by staff attorney, which is me, and we will decide if it complies or is it truly a trade secret as contemplated under the Trade Secret Act.

TICO Electronics M/A Com. Bid amount \$3,500,000. M/A Com states in their letter that they have no issues of confidentiality related to the Trade Secret Act. Bid signed by Assistant Secretary. There are no addendums.

RELM Wireless Corporation. No transmittal letter. The bid is not for the infrastructure. It is for mobiles and portables and desktop units. In the RFP, the county requested a breakout of those prices so there is no total bid, but an individual breakdown of the units and that was an allowable submitted under the RFP. They are not bidding the infrastructure, they are bidding the field units and because we did not specify how many units, there is no total; they broke down the cost of the units. The bid is submitted by Western Region Sales Manager. No signature is readily apparent.

In summary, two infrastructure bidders and an additional bidder for subscriber units have been received.

Paulette DeHart stated the bids will be forwarded to the review committee for review and recommendation to the Board of County Commissioners.

Dave Clouse stated the Organizational Meeting of the Review Team is January 14, at 2:00 p.m. in the Law Enforcement Center Conference Room. The process calls for the team to finish its work by February 20 and come back to the county commission with a recommendation. The agenda for that meeting is explaining the process, discussing the bid scoring procedures, reference checks, distribution of bid scoring sheets, schedule additional meetings, and distribute copies of the RFP to review team members.

Proposed Road Abandonment of a Segment of Missoula Avenue in the Boyce Addition. (Petitioner, D&D RV Center, LLP) The Commissioners will consider abandoning a segment of the Missoula Avenue right-of-way. The right-of-way is approximately 350 feet long and 70 feet wide. It is located between Block 18 and Block 19 of the Boyce Addition, and Block 117 and 118 of the Northern Pacific Second Addition, in the SW1/4 of Section 28, T10N, R3W, Lewis and Clark County. Because this proposal has been legally advertised for this date, even though the county commissioners are not available, it will be left on the agenda to allow the public to solicit comments. The commissioners will listen to the tape. The public hearing has been rescheduled for February 22. Hearing no comments, the public hearing will be continued to February 22.

There was no other business and the meeting adjourned at 9:20 a.m.