



## STATE OF WASHINGTON

August 2, 2016

The Honorable Troy Kelley  
Washington State Auditor  
P.O. Box 40021  
Olympia WA 98504-0021

Dear Mr. Kelley:

Thank you for the opportunity to respond to the State Auditor's Office (SAO) performance audit report on efforts by the Washington State Patrol (WSP) to comply with the Federal Communication Commission's (FCC) mandate to narrowband its radio communications system. The Office of Financial Management (OFM) worked with WSP and the Department of Enterprise Services to provide this consolidated response.

The stated objectives of the SAO's performance audit were to: (1) determine if WSP was effective in planning, procuring, and contracting the equipment necessary to meet the FCC's mandate, and (2) to determine if WSP has been transparent about the outcomes of its planning, procurement, and contracting of that equipment. Although the audit took two years to complete and resulted in a very lengthy report, several clarifications are necessary due to factual or contextual inaccuracies presented in the report.

### **FCC mandate and the Great Recession**

To accurately assess whether the WSP made sound decisions during the narrowbanding project, one must recall the fiscal environment of the state at the time these decisions were made. In 2010, WSP was faced with the need to meet the FCC requirement to change its radio system from 25 kHz channels to 12.5 kHz. The initial, best cost estimate WSP shared with the Governor's Office and OFM was between \$60 and \$80 million.

The WSP radio infrastructure was nearing the end of its useful life, and large portions were past end of life and no longer supported by vendors. At the same time, the state was facing a significant budget shortfall. The WSP was directed to scale back its budget request to the bare minimum and defer some of its request to the 2013-15 budget cycle. This meant WSP would have to reuse as much equipment as possible and replace equipment that could not be narrowbanded. The WSP received \$40.1 million in the 2011-13 budget, with the understanding that an additional \$13 million would be received in 2013-15.

The scope of the narrowbanding project has always been to convert WSP's radio system to narrowband compliance while providing the best coverage possible. Deploying a new statewide digital radio system, as suggested by the SAO report, has never been the intent of this project. This is reflected by both the approach the agency has taken and the project budget.

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The \$41.1 million appropriated would never have been sufficient to deploy a new statewide radio system. For comparison, the state of New York spent \$2.2 billion and the state of Oregon spent \$230 million to implement their respective statewide digital radio systems. Additionally, county-wide digital radio system projects in Washington have ranged in cost from \$45 million in Spokane County to \$273 million in King County.

### **SAO audit report questions WSP's decision to partner with U.S. Department of Justice's Integrated Wireless Network (IWN) system**

The WSP and the U.S. Department of Justice (DOJ) have an established working relationship on communication systems dating back to 2003. Over this period, DOJ has provided WSP more than \$75 million in infrastructure and construction services to improve WSP's microwave network, which carries its radio communications. In addition to helping WSP to meet the narrowbanding mandate, the DOJ partnership represents an opportunity to enhance WSP's radio system at little cost and improve interoperability between state and federal law enforcement.

While there is always risk involved in giving up a measure of autonomy and control by partnering with another governmental entity, WSP determined that the potential benefits of significant equipment savings, better system coverage, and greater interoperability far outweighed potential risks of partnering. The partnership with the IWN system has resulted in substantial cost savings to the state and provided both more coverage and capabilities for WSP, the Washington Department of Fish and Wildlife, and other system users. Additionally, the IWN/WSP system in the Puget Sound region has been used on multiple occasions for seamless interoperable communications across all levels of law enforcement for large events, such as the U.S. and Chinese presidential visits, the U.S. Open golf tournament, public protests, and homeland security exercises. Prior to integration with the IWN system, events of this significance experienced poor interoperable communications resulting in major disruptions to agency dispatching operations.

### **WSP's transparency**

The WSP has been open and transparent throughout the narrowbanding project. Prior to receiving funding, WSP briefed legislative staff and stakeholders on plans to migrate to Project 25 (P25) digital radio standards as part of the narrowbanding effort. This comported with applicable state laws, followed guidance of the State Interoperability Executive Committee (SIEC), and aligned with agency technical expertise and the experiences of other communication system owners. WSP has also briefed the SIEC at each of its meetings since the project's inception. The agency has met regularly with the Washington Association of Sheriffs and Police Chiefs, the Washington State Patrol Troopers Association, media, legislative staff, and interested persons to discuss project status and issues, including ten briefings in 2012.

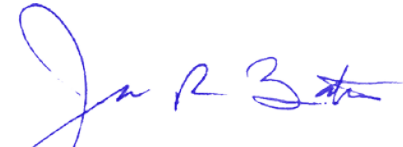
The WSP has answered all questions openly and in a timely manner, and continues to do so. Project status reports have been provided monthly to all who have requested and are posted on the Office of the Chief Information Officer's website.

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The WSP believes it has been successful in meeting the narrowbanding mandate while improving public safety-grade radio coverage and interoperability. The agency has stayed within the project budget. It has requested extensions to the schedule from the FCC, which have been readily granted due to the good progress WSP has made.

It is WSP's perspective that the above facts and context are not represented clearly in the SAO audit report despite two years of discussions between our teams. We provide them for clarity to the readers of this report and in the spirit of full transparency.

Sincerely,



Chief John R. Batiste  
Washington State Patrol



Chris Liu, Director  
Department of Enterprise Services



David Schumacher, Director  
Office of Financial Management

Enclosure

cc: David Postman, Chief of Staff, Office of the Governor  
Kelly Wicker, Deputy Chief of Staff, Office of the Governor  
Miguel Pérez-Gibson, Executive Director of Legislative Affairs, Office of the Governor  
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**OFFICIAL STATE AGENCY MANAGEMENT RESPONSE TO THE PERFORMANCE AUDIT ON  
WASHINGTON STATE PATROL'S RADIO NARROWBANDING PROJECT: LESSONS LEARNED**  
AUGUST 2, 2016

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This coordinated management response to the State Auditor's Office (SAO) performance audit report received on June 29, 2016, is provided by the Washington State Patrol (WSP), Department of Enterprise Services (DES), and Office of Financial Management (OFM).

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**SAO PERFORMANCE AUDIT OBJECTIVES (SUMMARIZED):**

The SAO objectives were designed to answer:

1. Was WSP planning effective to determine the equipment and infrastructure needed to cost-effectively meet the FCC mandate for procurement?
  2. Has WSP been transparent about outcomes attributable to its planning and contracting?
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**SAO Issues:**

**1. Patrol would have benefited from a deeper understanding of its current system and available technology.**

**STATE RESPONSE:** Two technology approaches were available to WSP to achieve the narrowbanding mandate: analog and digital Project 25 (P25). P25 is an established standard for public safety agencies throughout the country, as well as for the federal government. WSP's primary reason for moving to P25 operation was that engineering predictions by both WSP and vendors indicated it would provide coverage far superior to narrowband analog in most areas of the state. These predictions have been proven accurate through coverage measurements performed by WSP after narrowbanding in digital P25. The primary exception to this is in the northcentral area of the state, near Okanogan and Wenatchee. In these areas, narrowband analog is preferable to P25 due to the rugged terrain. The decision to narrowband in either P25 digital or analog was made based on sound engineering and measurements in each area of the state, with input from the primary stakeholders and WSP district command staff.

**2. Patrol could have benefited from further analysis into whether merging with IWN provided the best benefit to the state and required Motorola for all equipment and radios.**

**STATE RESPONSE:** WSP was encouraged by the U.S. Department of Justice (DOJ) to explore partnering with it on its Integrated Wireless Network (IWN) system due to the 13-year working relationship between the two agencies. WSP did so. In addition to helping WSP meet the narrowbanding mandate, this partnership presented an opportunity to enhance WSP's radio system, reduce costs, and improve interoperability between state and federal law enforcement.

Other vendors' mobile and portable radios could have been used with less effectiveness and interoperability. Given limited funding and WSP's interoperability requirements with other first-responder communication systems, this was not a viable option. SAO stated in its report that WSP received the same or greater discounts on the Motorola radio equipment as comparable contracts that were competitively bid in the state.

**3. Stronger project and contract management may have minimized project delays, system performance issues and likely budget over-runs.**

**STATE RESPONSE:** In retrospect, WSP acknowledges that it should have requested additional project management staffing in its original budget request. When the agency realized the complexity of the project exceeded its abilities to manage it with existing resources, professional project management services were acquired and used from that point forward. These services have resulted in more thorough, repeatable and methodical processes and contributed significantly to the project's success.

WSP believes there has been strong contract management through the combined efforts of the agency project manager and DES. To date, the project has remained within budget.

**4. The Patrol has effectively communicated with its public safety partners throughout the project. While other stakeholders have expressed concerns about the amount of project information that has been available in the past, project transparency has recently improved.**

**STATE RESPONSE:** WSP has been open and transparent throughout the narrowbanding project. Prior to receiving funding, WSP informed legislative staff and stakeholders that the agency planned to migrate to P25 operation as part of the narrowbanding effort. This comported with state law, followed guidance by the State Interoperability Executive Committee (SIEC), and aligned with agency technical expertise and the experiences of other communications systems. WSP has also briefed the SIEC at each of its meetings since the project's inception. The agency has met regularly with the Washington Association of Sheriffs and Police Chiefs, Washington State Patrol Troopers Association, the media, legislative staff and interested citizens to discuss project status and issues, including ten briefings in 2012 alone. WSP has answered all questions openly and in a timely manner, and continues to do so. Project status reports have been provided monthly to all who have requested them and posted on the Office of the Chief Information Officer's (OCIO) IT project dashboard.

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**SAO Recommendation 1 to WSP:** Over the short-term, mid-term and long-term, assess whether it is advantageous to stay merged with the IWN system.

**STATE RESPONSE:** WSP concurs with the recommendation. WSP regularly assesses and engages in partnership opportunities in the interest of achieving efficient, interoperable and cost-effective radio operations. Specific to the IWN system, this approach is in accordance with the interagency agreement between WSP and DOJ for shared-system integration.

**Action Steps and Time Frame**

- WSP has begun preliminary engineering work, in conjunction with the vendor, to evaluate options for changing the connection between IWN and WSP's radio system. WSP is evaluating the use of a Project 25 Inter RF Subsystem Interface (P25 ISSI) as a means of linking to other radio systems. The use of such an interface with IWN may allow continued system integration while reducing potentially problematic dependencies associated with a single merged system, as identified in the audit report. *By December 2016*

- WSP will brief agency management and stakeholders on the benefits, concerns, costs and impacts of changing from a merged system to a system using the P25 ISSI connection. *By July 1, 2017*
  - If the decision to separate the systems is made, WSP will pursue appropriate budget requests and state procurement procedures to accomplish the transition in a timely manner. *Due date will be determined if necessary.*
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**SAO Recommendation 2 to WSP:** Work with the Governor’s Office to establish the minimum acceptable statewide coverage.

**STATE RESPONSE:** WSP concurs with the recommendation. WSP will identify its minimum statewide radio system coverage standards in a coordinated manner with the Governor’s Office.

#### **Action Steps and Time Frame**

- WSP will conduct an analysis to determine the minimum statewide public safety-grade radio coverage standard appropriate for WSP’s use. This analysis will review published industry standards, comparable statewide system specifications, and stakeholder input to define coverage standards. *By June 30, 2017*
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**SAO Recommendation 3 to WSP:** Work with the Legislature to approve funding for needed upfront engineering studies, then conduct the studies to determine how much it will cost to achieve that coverage.

**STATE RESPONSE:** WSP concurs with the recommendation.

#### **Action Steps and Time Frame**

- WSP has prepared a budget request for an engineering study, as referenced by the SAO in its audit. WSP will follow established IT investment policies and request approval to pursue this study from the OCIO and the SIEC. *By October 20, 2016*
  - WSP will submit a budget request for the engineering study to OFM. *By September 16, 2016*
  - If funded in 2017, WSP will work with DES to contract with a qualified professional engineering firm to perform the statewide engineering study, which will include the agreed-upon coverage requirements. Completion of the engineering study is expected to take approximately one year from the start of contract. *Due date will be determined if funded.*
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**SAO Recommendation 4 to WSP:** Using the studies, work with OFM to establish an informed long-term plan and budget request for future project work.

- a. Connect this long-term plan to the upcoming phase-two narrowbanding effort and the subsequent vendor contracts that will support that effort.
- b. Make sure its request for funding for the second phase includes project management and procurement costs that were not included in the budget for the first phase.

**STATE RESPONSE:** WSP concurs with the recommendation and will work with OFM to define future project work.

**Action Steps and Time Frame**

- WSP will use the results of the engineering study, including the coverage requirement standard agreed to by the Governor’s Office, to work with OFM in developing a strategic plan for future system development. Any planned system upgrades will comply with narrowbanding phase two requirements. This strategic plan will also include appropriate project management and procurement resources. *Due date will be determined if funded*
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**SAO Recommendation 5 to WSP:** Using the studies and long-term plan, work with the Legislature to help it decide the amount of project funding.

**STATE RESPONSE:** WSP concurs with the recommendation.

**Action Steps and Time Frame**

- WSP will use the results of the engineering study or studies, including the coverage requirement standard agreed to by the Governor’s Office, to prepare a request for information for release to the vendor community. *Due date will be determined if funded.*
  - Upon receipt of vendor information and in accordance with its system strategic plan, WSP will develop an appropriate budget request aligned with the state’s IT investment procedures and requirements. *Due date will be determined if funded.*
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**SAO Recommendation 6 to WSP:** Prepare monthly online reports that disclose the status of its phase-one and future phase-two narrow-banding projects to make sure all stakeholders receive timely information.

**STATE RESPONSE:** WSP concurs with the recommendation and will ensure stakeholders are informed of project status.

**Action Steps and Time Frame**

- WSP publishes monthly phase one project reports on the OCIO’s IT project dashboard. This will continue throughout completion of phase one narrowbanding. *Complete and ongoing*
  - When any future large-scale system expansion, system upgrade, or narrowbanding phase two projects are approved and funded, the project management team will require posting of these monthly reports. *Ongoing*
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**SAO Recommendation 7 to WSP:** *Once project funding is established for the FCC phase-two narrowbanding:* Establish needed project management tools and resources before signing any contracts for goods and services.

**STATE RESPONSE:** WSP concurs with the recommendation and will ensure project management resources are in place at the beginning of phase two narrowbanding.

#### **Action Steps and Time Frame**

- When project funding is established for the FCC’s phase-two narrowbanding, all OCIO IT oversight policies and requirements will be met, including those on external quality assurance and project management. *Due date will be determined after funding established*
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**SAO Recommendation 8 to WSP:** *Once project funding is established for the FCC phase-two narrowbanding:* Establish contract coverage requirements that match what the Governor’s Office has agreed to, and are based on engineering studies and available funding.

**STATE RESPONSE:** WSP concurs with the recommendation.

#### **Action Steps and Time Frame**

- Coverage requirements, based on engineering study results and in accordance with the Governor’s Office approval, will be the basis for phase two funding requests and resulting vendor contracts. *Due date will be determined after funding established*
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**SAO Recommendation 9 to DES:** Work with the Patrol to:

- a. Establish each agency’s roles and responsibilities in a written agreement.
- b. Assure the proper scoping of future contract amendments.
- c. Identify criteria for determining when the contract is complete and each agency’s part in making that determination.

**STATE RESPONSE:** DES is making an administrative amendment to the contract that clarifies each agency’s roles and responsibilities. This will include criteria for determining when the contract is complete and defining each agency’s part in making that determination. The customer, as the subject matter expert, is ultimately responsible for ensuring the project is properly scoped.

WSP concurs with the recommendation to DES. WSP will work with DES to clarify agency roles via written agreements to ensure proper scoping of future contract amendments and clearly define contract completion criteria.

#### **Action Steps and Time Frame**

- DES will execute an administrative amendment to the contract, clarifying roles and responsibilities. *By August 15, 2016*
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