

# MARIN EMERGENCY RADIO AUTHORITY

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## MEMORANDUM

**DATE:** April 8, 2004  
**TO:** MERA Board of Directors  
**FROM:** Martin J. Nichols, Executive Officer  
**SUBJECT:** AGENDA ITEM E: MOTOROLA CONTRACT AMENDMENT NO. 4

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Recommended Action: Approve Motorola Amendment No. 4 and authorize the Executive Officer to execute Motorola Contract Amendment No. 4.

Background:

In Amendment No. 3, we separated the completion of the MERA network into six phases. Under Exhibit D – Payment Terms of the original agreement (attached), Motorola is due payment on completion of the fixed network.

Motorola has requested payment for completion of Phase I (9 of 13 sites - \$1,211,325) but the General Counsel and I do feel there is authority for a partial payment under Amendment No. 3.

There is also a question of whether or not the partial payment triggers the warranty provision of the contract and amendments.

Amendment No. 4 authorizes a partial payment for Phases I, II, III, IV, V and VI and clarifies that payment for Phase I does not start the warranty on the subsequent phases.

cc: George Newby, Motorola  
David Little, Motorola