***City of North Miami Beach, Florida***

 **Police Department**

 Memorandum No.

|  |  |
| --- | --- |
| Date: | May 19, 2021 |
| To: | Arthur H. Sorey, III, City Manager  |
| From: | Jason F. Ochoa, Major   |
| Subject:  | CISCO Phone System Implementation Failures |

The North Miami Beach Police Department (NMBPD) communication division has prevailed on proving a product implementation and negligence claim against CISCO communications, UDT, and Mr. Gil Sosa (NMB I.T. Director). Throughout this memorandum, NMBPD communication's division will prove an inherent defect in the CISCO communications deployment of its software and hardware product by UDT and Mr. Sosa that causes damages. Using this poorly installed software may cause injury or damage to one of our victims or callers dialing into the NMBPD communication division. NMBPD communication's division personnel worked numerous times with CISCO engineers (UDT) and Mr. Sosa to resolve this issue. Department personnel has also sent several emails to Mr. Sosa and CISCO engineers (UDT) indicating the numerous problems. Some minor points have been resolved, but the central issue of lost calls has yet to be determined. This would pose a liability to North Miami Beach's City, mainly if the lost call were a priority call.

**Defects**

UDT and Mr. Sosa are aware of our needs and sensitivity as a police department and an emergency operation center, and still, they sold us an inferior product. Numerous complaints have been made since the department began using CISCO communications, including losing calls when phone lines ring.

**Design Defects**

CISCO communications intended for this product to be designed and manufactured in a certain way. However, there needed to be more in the design and implementation. This deficiency has affected all the phone lines within the communications division and our daily operations.

The system's implementation is deemed defective in design if a foreseeable risk of harm posed by the outcome could have been reduced or avoided by adopting a reasonable alternative method. The failure to use this design makes this system not reasonably safe. The product could not have been and should have been made safer with this definition.

**Software**

It was only possible to learn about some problems with the software during the development and testing phase. Therefore, all software should have some defect test when initially released. This risk may result from a loss or deprivation of this system's safety structures through performance changes due to software updates and connectivity loss.

**Negligence and Liability**

UDT and Mr. Sosa could have liability in the chain of production or circulation for personal injury, property damage, or economic loss arising from this communication system. Negligence is the original concept of the implementation team and Mr. Sosa.

1) There is a probability that injury would result from CISCO communications system implementation by UDT and Mr. Sosa.

2) Harm could be expected due to a lost call due to the communications system's negligent implementation.

3) CISCO communications system's implementation by UDT and Mr. Sosa must take on the burden of taking adequate precautions to avoid or minimize any injuries.

**Products that Use Software**

Given the complexity of the CISCO software, whether UDT and Mr. Sosa as the project manager, installed the product or accessed it over the internet, it could be unsafe or create further issues due to software malfunctions. It must be subjected to extra precautions to evaluate the risk and the ways to minimize it. NMBPD communications personnel should have had the opportunity to assess the product's safety prior to the project closing on Sunday, January 31, 2021.

**Training**

Adopting this new technology, or even a new feature within the pre-existing communication system, has been entrenched with pitfalls because of the inadequate training supplied beforehand and during the migration process. An added motivation during this stage should have been harnessed through positive affirmation regarding the technology. In that case, it should be easy to inform the employees exactly how the new system, process, or tool will benefit them, their workflow, end targets, and overall performance. Adopting new technology requires solid backing in a collective vision associated with adoption benefits. Since our dispatchers were never trained concerning the new communication system, they could not fully harness the technology's capabilities, resulting in considerable performance delivery delays.

It is essential to avoid cutting costs at this stage and allocate as much of the total budget as necessary to tech-centric employee training. Following are some critical elements that should have been covered in training:

* How the technology will benefit the day-to-day lives of the dispatchers.
* How adopting the technology will add to the police department's goals.
* How successful adoption will add to the dispatcher's professional success

Below is a list of concerns with phones in Communications.

* When multiple calls come in and are placed on hold, dispatch needs to define where the call is holding. They are pushing various buttons to find the calls on hold. At times, calls appear as if they get lost in the Que.
* The dispatcher does not answer calls. However, they may assist from time to time with placing a call on hold. If a call is put on hold at dispatch, it shows reverting to Call-taker 3 but then does not ring at Call-taker 3, so unless you physically look at the phone, you will not know there is a call on hold. A test revealed that the phone did not ring back after several minutes. Sunday, February 28, 20121, a call was held for 18 minutes before the dispatcher realized it.
* If you need to barge into a line, but incoming calls are coming in, you must click ignore and then try to locate the line you are barging in. This causes a significant delay in press ignoring, placing calls on hold, and looking for the calling needing the barge. This can pose a liability when training since the trainee has already answered the phone call.
* According to Mr. Sosa, there are no compatible training cords.
* Dispatchers must hit ignore before performing various phone functions. Can this be disabled to allow us to complete the function directly?
* There are unannounced automatic phone updates that black them out entirely and make them inoperable for several minutes. Can this be disabled? Can this be the cause of a dropped call?
* On Saturday, February 27, 2021, a cartoon character on the phone screen hushed the call-taker and told her she was talking too loudly. We were able to disable this by following instructions on Google. • Dispatch is not familiar with current updates.
* When a call is placed on hold, it rings back at 2 minutes. This should have been set at 90 seconds.
* None of the incoming and outgoing calls are being recorded. This includes calls that are transferred to the police department.

Mr. Sosa stated, based on the last AT&T technician who visited NMBPD, he was candid enough to explain that. AT&T no longer cares to maintain this obsolete infrastructure. Our current PRIs don't stock parts for those systems; they only dedicate a few resources to fixing issues like ours. To this date, an official AT&T technician has yet to verify the above information. On the below topics as AT&T issues:

* When calling an outside number, the call disconnects if no one answers after 3-4 rings. A backup line or cell phone will be used to complete the call.
* At times, a call is lost (unknown if it is due to a software issue, a training issue, or an AT&T issue) (Priority)
* When calling an external number, you are not prompted to dial a 1 (causes a delay when calling back victims/complainants on high-priority calls)

A Request for Proposal is a document and process that helps organizations hire outside agencies. The RFP was created to solve a series of issues, with fairness, structure, Clarity, and distribution being primary among them. It was designed to provide an equal opportunity to any company that wishes to bid on this project. The RFP document outlines the project scope, providing requirements, restrictions, and intended timelines. The process also creates a standardized structure for completing the RFP and submitting proposals. The RFP was also designed to clarify the North Miami Beach Police Department's phone system project upgrade.

**Preparing for the CISCO RFP**

The first step is often where the most issues arise, creating the CISCO RFP itself. Typically, a committee produces technical analysis, timelines, budgets, determining risk factors, and overall strategy. Often these teams need more technical and other skills to do this effectively. This RFP was presented to NMBPD as the best and only solution. This conclusion leads to unrealistic ideas of budget, time frame, and establishment of the CISCO system.

The RFP was created as a structured process to simplify the CISCO system, leading to a lack of innovation. By structure, I am referring to the RFP document's design, communication, and submission process. An over-structured RFP document should be more specific about project details. This specificity discourages agencies from being creative and proposing better solutions to the core problem, as companies are often already sold on the solution in their RFP. It is usually outside the police department's best interest to point out errors in the proposed solution. This issue is worsened by a typical tightly structured communication policy that only allows room to discuss new ideas after the solicitation process. Finally, because of strict rules in the submission process, it is risky to propose a new concept as NMBPD has yet to have an opportunity to discuss it with CISCO, UDT, or Mr. Sosa beforehand.

**Confusion instead of Clarity**

The most critical step of any project is the early discovery phase of gathering requirements while understanding opportunities and risks. Unfortunately, as this legwork is typically done by staff without a clear understanding of the issues, this information is often inaccurate, contradictory, unnecessary, or just plain wrong. The RFP process tries to clarify this by having the organization spend days, weeks, or even months preparing detailed analyses of these factors.

To make matters worse, the RFP often dictates a rigid communication policy that prevents any direct conversation between CISCO and NMBPD. NMBPD should have been allowed to create a single document with all answers and send it to CISCO, UDT, or Mr. Sosa. Instead, a question-and-answer period often allows all agencies to submit questions by a deadline. In this way, all questions attempt to be fairer and more open, but in practice, it needs to be a more flexible process and make it easier to get real insights. This lack of direct communication also prevented any objective cultural fit analysis, possibly creating our current issues.

**What Should Happen Next**

Our current CISCO RFP leaves much to be desired. An outside consultant with expertise in strategy, design, and technology helps the police department assess our needs and propose solutions to give them perspective. Create a simple one-page document outlining the Problem, Rough Timelines, and Submission Criteria. A meeting should have been established with the police department to learn more about our needs while allowing the CISCO, UDT, and Mr. Sosa to ask any necessary questions to understand the project's desired outcomes and constraints. From this meeting, NMBPD Communications can further refine our needs.

**Conclusion**

Technological advances continue to emerge and have evolved to accommodate new and more complex communication products and uses. The RFP currently used to solicit the CISCO/UDT project for the police department needs to be fixed, with every aspect of the process stifling creativity and hindering excellence. Through open communication, the NMBPD communication division should have had a deep understanding of the organization and a clear picture of the problem. Suppose NMBPD would have been involved in the RFP process from the start. In that case, it would have resolved the issues of implementing a phone system structure not designed for emergency operation centers. NMBPD communications personnel feels this issue requires immediate attention and a remedy regardless of who the responsible party is.

JO/