Documents reveal a long-running dispute between State Police and a Florida company whose work on an $800 million-plus radio network landed it on Pennsylvania's list of deficient contractors

The Pennsylvania State Police flagged the major contractor on a foundering statewide radio project for what it described as deficient work on " grounding" for metal towers and preventative maintenance, placing it on the Contractor Responsibility Program list in 2015, records obtained recently by The Caucus reveal.

And a top State Police official alleged a subcontractor later submitted "inaccurate and deceptive" documents on work it claimed to have done to correct flaws, the records reveal.

The contractor, Middletown, Florida-based Harris Corp., "categorically" denied the allegations and any deceitful conduct.

"As a long-standing supplier, Harris has been and remains fully committed to cooperating and working with the Commonwealth, through appropriate channels, to resolve contract disagreements that may arise from time to time," company spokeswoman Pam Cowan said in a written response to questions from The Caucus.

But at least one Harris employee expressed concerns as early as August 2015 about the quality of work, calling it " sloppy and unprofessional," records show.

As key lawmakers continue to raise questions about the soaring costs and protracted length of the now-$800 million-plus project, The Caucus has obtained hundreds of pages of documents that cast light on how the statewide radio system spiraled out of control and how critics derisively refer to it as Pennsylvania's Big Dig.

Documents obtained through the state's Right to Know Law and dozens of interviews showed ongoing tension between the Office of Administration and the State Police, the primary user, and a clear lack of legislative oversight and a revolving door between State officials and contractors.

The documents also reveal that, year after year, lawmakers were raising questions about work on the project at public hearings, but that little was actually done about it.

The state, meantime, kept paying the bills.

The findings outraged lawmakers.

"If we spent $1 billion and didn't get what we paid for, we ought to be looking into it," Republican Sen. Gene Yaw of Lycoming County said at a Senate budget hearing last week for the State Police.

"I've been hearing about it year after year since I've been in the Senate — hearing that it was bad," said Yaw, who was elected in 2008.

Investigating why that happened is "called government responsibility," he told State Police brass.

During the past four years there has been an effort by the State Police to document what officials alleged was deficient work by Harris Corp.

The State Police were given control...

This is the second of a two-part series by The Caucus into a statewide radio network for law enforcement that has cost taxpayers more than $895 million so far and has never fully worked.

The series is the result of a four-month Caucus investigation. The first stories appeared in The Caucus' Feb. 21 edition.

Among the findings:

- There was a "revolving door" between the state and the contractors. Several top officials had ties to Harris Corp., the primary contractor, and earlier to MA-COM, the original contractor, which Harris acquired in 2008. Records and news accounts show. They included Jeffrey Logan, pictured at right in a photo of Gov. Tom Ridge signing the authorization for the project. Logan took a job with MA-COM a few years after leaving the Office of Administration's launch of the project. He later worked for Harris.

- There was a historic tug of war creating friction between state agencies over the project, the Office of Administration and State Police.

- The cost ballooned over two decades because of inadequate legislative oversight and proprietary equipment manufactured by Harris Corp., that made some parts useless and expensive to replace.

- The repeated failure in 2014 of hand-held radios in the mountainous terrain of northeastern Pennsylvania raised the specter for Gov. Tom Corbett, who is accused of shooting and killing a state trooper and wounding another, sparked action on a new system.

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of the project in 2012 after the Office of Administration under various governors ran the project since its inception.

The costs soared to more than $800 million from just $179 million authorized by Gov. Tom Ridge in 1996. M/A- COM Inc., owned by AMP Inc., was the first main contractor.

Harris took over in 2009 after purchasing Tyco Electronics, which had acquired AMP Inc.

CONTRACTOR RESPONSIBILITY PROGRAM

Records show the State Police placed Harris Corp. into the Contractor Responsibility Program in 2015 for allegedly deficient work on electric “grounding” for metal towers and work on a separate preventive maintenance contract.

The Contractor Responsibility Program, or CPR, is a system used by state agencies for tracking “warnings” against contractors for deficient work, said Troy Thompson, a spokesman for the Department of General Services, which shares the program’s oversight.

Harris has protested its inclusion in the Contractor Responsibility Program, stating the entries by the state were “inaccurately filed,” are not consistent with the intended use of the CPR program and should be removed.

In an October 2015 letter, Paul R. Greco, the vice president of contracts at Harris, disagreed with Harris’ inclusion in the state’s listing of deficient contractors. “Disagreement over requirements, cost responsibility, and the passage of time during good-faith negotiations does not make Harris a non-responsible contractor, and certainly does not justify a negative entry in the Commonwealth’s Contractor Responsibility Program,” Greco wrote.

Harris remains in the CPR program to date, officials say.

A Feb. 21 story in The Caucus reported that Harris acknowledged two CPR entries by State Police, but the reason was not available at that time. The program entries are typically not available to the public. The companies placed in the program can’t be viewed on the state’s website.

Contractors that are “debarred” by the state are listed on the Department of General Services’ marketplace website, but Harris has not been debarred and can seek other Pennsylvania contracts.

ALLEGED DEFICIENCIES

Among the state’s issues with Harris is a preventive maintenance program for STARNet, the statewide communications system for law enforcement, 21 other state agencies and emergency management officials.

The preventive maintenance contract with Harris was approved in June 2012 for $525,000 per month. The contract also allows for “demand maintenance,” which ran from $95,000 to $125,000 per month for parts, labor and time Harris specialists took traveling to various sites in the state.

The other contract at issue, records show, deals with the replacement of “grounding” on metal towers used to transmit radio signals.

The metal towers, which stand 200 feet to 300 feet tall, must be grounded in the event of lightning strikes. The state uses about 253 metal towers. It owns 173 and rents the remainder.

Deficiencies in grounding on the metal towers pose “the risk of damage to property and personal injury,” the State Police wrote in its entry for Harris in the Contractor Responsibility Program.

Two purchase orders under the grounding contract were issued by the state in July 2011 and June 2012. One was for $1.4 million and the other about $677,000. Combined, they called for grounding 68 sites, documents state.

THE DISCOVERY

In August 2015, while evaluating grounding services by Harris, the State Police first inspected sites in two counties that had sustained equipment damage because of lightning strikes earlier that year, said John Nally, chief of site development and maintenance for the State Police.

In all, 26 sites were identified with above-ground deficiencies. Harris told State Police the company would fix them. Harris had been paid almost $2 million, State Police said.

But it wasn’t until April 2016 that underground deficiencies were discovered in Adams County.

State Police Major Diane Stockhouse, director of the Bureau of Communications, continued the investigation.

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I apologize for the sloppy and unprofessional work our vendor has performed, my degree of trust in them has been shaken.

BOB ARNEY
A REGIONAL SERVICE MANAGER IN HARRIS' RF COMMUNICATIONS DIVISION

Harris promised to re-ground all the sites under warranty, but the contractor stopped after re-grounding 12 sites rather than continuing to finish the 46 remaining, State Police said.

Harris replied to the state in a June 10, 2015, letter written by David Gerhard, a senior manager and head of field services. He stated the company would be “fully cooperative” in working with State Police in the examination of grounding work at 12 sites.

However, Gerhard’s letter stated Harris had conducted its own review of the grounding system performance and “out of the 11 sites met the grounding system performance requirements set forth in the Purchase Orders.”

Gerhard stated Harris was prepared to “correct any deficiencies found in the performance of the grounding work at the other 46 sites, again pursuant to its five-year warranty.”

But Gerhard stated that he wanted “complete findings” of State Police’s examination of the 12 sites, and a meeting to discuss the findings in a June 16, 2015, email.

Kenneth Stuck, the State Police’s site development and maintenance manager for the statewide radio system, pushed back at Harris’ assertion that 10 sites met the grounding system performance requirements.

“Writing to Stuckhouse, Stuck said Harris’ statement about the 10 sites was “a little misleading.”

Stuck explained that the statement of work required Harris to submit the...
tive and false documentation, according to an October 2015 letter from Greco, the Harris vice president.

"Harris did not generate any improp-
er documentation and categorically de-
nies any suggestion that it participated
in any deceitful conduct," Greco wrote.

NOT THE COMPANY LINE

But at least one Harris employee
expressed concerns as early as August
2015 about the quality of the grounding
work.

"I apologize for the sloppy and
unprofessional work our vendor has
performed, my degree of trust in them
has been shaken," wrote Bob Arney, a
regional service manager in Harris’ RF
Communications Division, in an email
to State Police staff.

The subject line of the email, re-
leased to The Caucus by the State Police,
was "Grounding."

One month later Arney was even
more specific about grounding prob-
lems, detailing a list of 25 items to be
inspected, and repaired, if necessary, at
each of the re-grounded sites.

In a September 2015 email to State
Police staff, describing the more than
two dozen items to be inspected, he wrote,
"I apologize personally for the issues
and the generally poor workmanship."

In April 2016 Arney emailed a State
Police staffer about re-grounding work:
"I am very disappointed at what I am
seeing at that (undisclosed) site!"

Emails show that Arney left Harris
sometime in mid-2014. No explanation

was provided for his departure in an
email from Harris manager Gerhard an-
nouncing the staff change.

Attempts by The Caucus to reach
Arney were unsuccessful.

LAST-DITCH EFFORT

A lawyer for Harris contacted the
State Police Office of Chief Counsel in
November 2015 to request the office’s
lawyers become involved in nego-
tiations between the company and the law
enforcement agency.

State Police assistant counsel Thom-
mas J. Jakubiak declined involvement in a
December 2015 email.

Jakubiak also turned down Harris’
request to remove the company’s two
entries in the Contractor Responsibility

Program.

"The fact remains that the Common-
wealth did not get the grounding work it
paid for, and that fact alone justifies the
information in the entry," Jakubiak wrote.

He also said that the Contractor

Responsibility Program entry for failure
to perform maintenance required by the
contract was "fully supported by facts
and documentation gathered thus far."

Harris’ lawyer tried again on Dec. 30,
2015, to persuade State Police to with-
draw the two entries.

"Most fundamentally, CRP entries are
not to be used for punishment or as
leverage in contract administration," he
wrote Harris attorney William W. War-
ren Jr.

To date, Harris remains on the list of
deficient contractors.