



# Board Agenda Item 22

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DATE: August 22, 2023

TO: Board of Supervisors

SUBMITTED BY: John Zanoni, Sheriff-Coroner-Public Administrator

SUBJECT: Third Amendment to Agreement with Global Tel\*Link Corporation dba ViaPath Technologies for Pilot Program

RECOMMENDED ACTION(S):

**Approve and authorize the Chairman to execute a Third Amendment to revenue Agreement with Global Tel\*Link Corporation (GTL) dba ViaPath Technologies to enable Contractor and County to conduct a Pilot Program to provide tablets for the use by County's incarcerated persons, effective August 22, 2023, with no change to the term of January 1, 2020 through December 31, 2024, which includes a three-year base contract and two optional one-year extensions.**

There is no additional Net County Cost associated with the recommended action. Approval of the recommended action will allow the Contractor and County to conduct a Pilot Program for the purpose of the Tablet Pilot Program ("Pilot Program") between the County and Contractor to evaluate, test, use and benefit from the Contractor's IP-Enabled Tablets in three (3) of the County's Jail housing units. This item is countywide.

ALTERNATIVE ACTION(S):

Should your Board choose not to approve the recommended action, the Sheriff's Office would not be able to conduct a Pilot Program to provide tablets for the use of County's incarcerated persons.

FISCAL IMPACT:

There is no additional Net County Cost associated with the recommended action and no commission will be paid by Contractor to County during the Pilot Program. Under the existing Agreement, which is a revenue agreement, the commission to the Incarcerated Persons Welfare fund (IPWF) was 80% of all monthly gross revenues for telephone calls, voicemails and video visitations changed to 80% of only voicemails and remote video visitations with a monthly payment of \$40,000 and 25% of revenue from written messages, photo attachments and E-Cards.

DISCUSSION:

Your Board's approval of the recommended action relates to the existing Agreement No. 19-727 approved by your Board on December 10, 2019, which is a revenue agreement for telephone and video visitation services to incarcerated persons in the County Jail facilities (the Agreement) as follows.

On January 26, 2021, your Board approved a retroactive consent to subcontractor and assignment of agreement and first amendment for telephone and video visitation services to incarcerated persons in the County Jail facilities. The consent to subcontractor and assignment of agreement was from Legacy Long

Distance International Inc. (Legacy) to GTL of all of its rights to, and delegation of all its obligations and duties.

On March 8, 2022, your Board approved a retroactive Second Amendment to revenue Agreement with GTL for telephone and video visitation services to incarcerated persons in the County Jail facilities, to implement rate caps for incarcerated persons telephone services and ancillary service charges. The term of the Agreement was incorrectly listed on the Board Agenda Item for March 8, 2022 as January 1, 2020 through December 31, 2025, when the Agreement actually terminates on December 31, 2024.

Approval of the recommended action will authorize GTL to conduct a Pilot Program between to evaluate, test, use and benefit from the Contractor's IP-Enabled tablets in three (3) of the County's Jail housing units located at the Fresno County Main Jail, N. Annex Jail and W. Annex Jail. Upon successful completion of the Pilot Program, the Parties will mutually agree in writing upon a full-scale implementation schedule for the Enhanced Program and rollout for the remainder of the County's housing units. The Enhanced Program will include incarcerated persons content access, education, law library, video visitation, voice communication and incarcerated person accounts. GTL will provide all support and maintenance services for the tablets, and replace, at GTL's cost, up to 50% of the deployed tablets per year to cover normal wear and tear.

The recommended third amendment contains a non-standard limitation on liability, but the Sheriff's Office believes that the benefits of entering into the recommended amendment outweigh the potential risks.

REFERENCE MATERIAL:

BAI #20, March 8, 2022  
BAI #20, January 26, 2021  
BAI #30, December 10, 2019

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Third Amendment to Agreement with GTL

CAO ANALYST:

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