



Board Agenda Item 42

DATE: August 6, 2019

TO: Board of Supervisors

SUBMITTED BY: Kirk Haynes, Chief Probation Officer

SUBJECT: Retroactive Amended and Restated Agreement with Satellite Tracking of People, LLC

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute a retroactive amended and restated Agreement with Satellite Tracking of People, LLC, to replace, restate, and supersede Purchasing Agreement No. P-19-230-S, for GPS Electronic Monitoring Equipment and Services, effective January 1, 2019, not to exceed two consecutive years, and total not to exceed \$600,000.

There is no additional Net County Cost associated with the recommended action. The costs associated with this agreement are primarily offset with Public Safety Realignment Act (Assembly Bill 109) revenue. Approximately \$5,000 a year is Net County Cost. The recommended agreement would utilize Satellite Tracking of People, LLC (STOP) pricing from the National Association of State Procurement Officials (NASPO) Value Point - Electronic Monitoring of Offenders Contract #00212 (NASPO Contract). Approval of the recommended action will replace, restate, and supersede Purchasing Agreement No. P-19-230-S for these services and retroactively set the start date for the agreement to January 1, 2019 as the prior Board agreement for these services expired on December 31, 2018. The recommended agreement will be for two years through December 31, 2020, and the maximum compensation will be \$600,000. This item is countywide.

ALTERNATIVE ACTION(S):

If your Board does not approve the recommended action, the Probation Department will work with the Internal Services Department Purchasing Division to determine options available to obtain the necessary services.

RETROACTIVE AGREEMENT:

The Probation Department has had an agreement with STOP since 2013. First a Purchasing agreement, then a two year Board agreement through December 31, 2016. A second amendment approved by the Board in November 2016 provided an additional two years through December 31, 2018. Department staff thought the second amendment provided for a one-year extension through December 31, 2019 and discovered in March 2019 that it did not. Staff at that time worked with the Internal Services Department's Purchasing Division (Purchasing) to have an agreement put in place with STOP that would utilize the competitive pricing from the NASPO agreement. The Purchasing Agreement's P-19-230-S ("Purchasing Agreement") term is May 20, 2019 through November 19, 2019 and allowed for continued GPS electronic monitoring equipment and services while staff worked to bring a longer term agreement before your Board.

Staff recommends a new agreement retroactive to January 1, 2019, and superseding and replacing the

Purchasing Agreement. If your Board approves the recommended agreement, it would approve approximately \$106,000 in invoices that were paid since the previous agreement expired on December 31, 2018, and provide for GPS electronic monitoring services through December 31, 2020.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. Funding for this agreement is primarily offset with Assembly Bill 109 revenue, and approximately \$5,000 is Net County Cost. The annual maximum compensation for this agreement is \$300,000, and the total compensation maximum is \$600,000. Adequate appropriations and revenues were included in the Probation's FY 2018-19 Adopted Org 3430 Budget, and are included in Probation's FY 2019-20 Recommended Org 3430 Budget that will be presented to your Board in September 2019. Funding for future years of this agreement will be included in subsequent budget requests.

Payments of approximately \$70,000 were made during the time period of January 1, 2019 to May 16, 2019. Approximately \$36,000 was paid under the Purchasing Agreement. No invoices are being held at this time.

DISCUSSION:

The Probation Department utilizes Global Positioning System (GPS) electronic monitoring services for its AB 109 population (both supervision and pretrial) as well as a small population of individuals on non AB 109 Adult Probation. Purchasing assisted the Probation Department to take advantage of the competitive process available through the NASPO Contract, which provides the same competitive pricing from STOP as the previous agreement, and is currently in effect through December 31, 2020, the term date of the recommended agreement before your Board.

The Purchasing Agreement was put in place to allow staff time to bring a longer term agreement before your Board. Approximately \$106,000 has been paid to STOP since January 1, 2019 and no invoices are pending at this time.

Staff recommends a new agreement that would take effect retroactively to January 1, 2019, and supersede and replace the Purchasing Agreement. If your Board approves the recommended agreement, it would replace, restate, and supersede Purchasing Agreement P-19-230-S, approve invoices paid since the previous agreement expired, and provide GPS electronic monitoring services through December 31, 2020. It should be noted that staff has reviewed their internal processes to ensure adequate tracking of agreements in the future.

REFERENCE MATERIAL:

BAI #26, November 1, 2016
BAI #36, December 16, 2014

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Amended and Restated Agreement with Satellite Tracking of People

CAO ANALYST:

Samantha Buck