



Board Agenda Item 32

DATE: July 10, 2018

TO: Board of Supervisors

SUBMITTED BY: Margaret Mims, Sheriff-Coroner

SUBJECT: Agreement with Jail Education Solutions Inc. for Inmate Tablet Service

RECOMMENDED ACTION(S):

1. **Approve and authorize the Chairman to execute an agreement with Jail Education Solutions Inc. dba Edovo, effective July 10, 2018, not to exceed five consecutive years, which includes a three-year base contract and two optional one year extensions, total not to exceed \$1,248,465;**
2. **Adopt Budget Resolution increasing the FY 2018-19 appropriations in the Special Revenue Fund Inmate Welfare Fund Org 1500 in the amount of \$348,250 and estimated revenues in amount of \$149,693 (4/5 vote); and**
3. **Adopt Budget Resolution increasing the FY 2018-19 appropriations and estimated revenues in the Sheriff-Coroner's Org 3111 in the amount of \$348,250 (4/5 vote).**

There is no increase in Net County Cost associated with the recommended actions. On December 1, 2016 the County of Fresno Purchasing Division issued a Request for Proposal (RFP) to provide a turnkey software/hardware tablet system that supports and benefits the inmates' educational, vocational, religious, health and wellness and cognitive behavioral needs. The Scope of Work included, but not limited to, providing all network services and an infrastructure to support the tablets. It was also requested the system operate at a low cost to the County/Inmate Welfare Trust Fund (IWF). This item is countywide.

ALTERNATIVE ACTION(S):

If your Board does not approve the recommended actions, the Sheriff-Coroner's Office will not be able to provide inmates incarcerated in the jail facilities a tablet service with opportunities to learn to support their educational, religious, vocational, health and cognitive behavior therapy needs.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. Costs for services provided under this agreement are 100% funded by estimated revenues and/or the IWF. It is the goal of this agreement that up to \$149,693 of the estimated costs to the IWF will be subsidized by charging inmates and the persons they communicate with for messaging services on the tablets and kiosks and the remaining amount will be funded with available fund balance in the IWF.

Approval of recommended action No. 2 will increase FY 2018-19 Operating Transfer Out appropriations in the Special Revenue Fund (SRF) IWF (Org 1500) needed for recommended action No. 3's Operating Transfer In to the Sheriff-Coroner operating budget (Org 3111) to purchase a tablet system to support and benefit the inmates. The revenue increase of \$149,693 to the SRF IWF is less than the appropriations and the remaining amount of \$198,557 will be funded with the available fund balance in the IWF. Sufficient appropriations and estimated revenues will be included in future budget requests for both Sheriff-Coroner's

Org 3111 and SRF IWF Org 1500.

DISCUSSION:

The Sheriff-Coroner administers the IWF and earns commissions from inmate telephone calls and profit on an inmate's purchase of commissary items along with interest earned on those funds. Monies deposited in the IWF shall be expended by the Sheriff primarily for the benefit, education, and welfare of the inmates confined within the jail. Any funds that are not needed for the welfare of the inmates may be expended for the maintenance of county jail facilities. Maintenance of the county jail facilities may include, but is not limited to, the salary and benefits of personnel used in programs to benefit the inmates including, but not limited to, education, drug and alcohol treatment, welfare, library, accounting, and other programs deemed appropriate by the Sheriff. IWF funded programs also help prepare inmates for reentry to society.

The Sheriff-Coroner's Office and County Purchasing issued RFP 17-039 in December of 2016 to provide an inmate tablet service for the County Jail facilities. County Purchasing received four bids for the inmate tablet service: Jail Education Solutions Inc. dba Edovo, Telmate, Global Tel*Link Corporation and Securus Technologies. A five-member evaluation committee was formed consisting of personnel from the Sheriff-Coroner's Office including an Accountant, Correctional Lieutenant, Information Technology Procedures Manager, an Offender Programs Manager and a County Administrative Office Analyst with oversight from the Purchasing Division. On April 17, 2017 a demonstration was conducted with the recommended vendor, Edovo, and the demonstration confirmed that Edovo's product functioned as described. The review committee unanimously recommended Jail Education Solutions Inc. dba Edovo based on being the most responsive, responsible bidder whose proposal has been determined to be the most advantageous to the County.

The primary purpose of Edovo's inmate tablets and kiosks is to provide the inmate population with opportunities to learn. The Edovo software system is used by other tablet providers and so using Edovo as the primary vendor for both tablets and software allows the County to use one vendor with no subcontractors. Furthermore, Edovo's costs are less than the competition, with, for example, additional kiosks being provided at a rate of \$700 per kiosk, which is less than \$2,000 per kiosk by the second highest rated bidder.

The total cost to implement the tablet service over a five-year period is projected at \$1,248,465. The first year's estimated cost of \$348,250 includes one-time infrastructure costs of \$154,000 in addition to the estimated annual cost of \$194,250 for bandwidth and maintenance of the tablets/wireless servers/kiosks. Edovo projects an annual subsidization of \$149,693 from recovery costs from other additional services including messaging and video visitation. The annual breakdown of the potential costs are as follows:

- Year 1: includes one-time infrastructure fee of \$154,000 plus annual costs of \$194,250 minus annual subsidization of \$149,693 = **\$198,557**
- Year 2 (leap year): annual costs of \$200,190 minus annual subsidization of \$149,693 = **(\$50,497)**
- Year 3: annual costs of \$205,200 plus \$34,000 for missing equipment and \$34,000 if the department chooses to purchase the infrastructure equipment minus annual subsidization of \$149,693 = **\$123,507**
- Year 4: annual costs of \$210,675 minus annual subsidization of \$149,693 = **(\$60,982)**
- Year 5: annual costs of \$216,150 minus annual subsidization of \$149,693 = **(\$66,457)**

Total Estimated Costs less Estimated Subsidization for the 5 Year Agreement = \$500,000

Edovo anticipates the projected revenues to be accurate; any disruption or smaller realization in revenues will not result in a financial liability to the County as the costs will be covered by the IWF.

Section 11 of the agreement contains the insurance coverage and language currently approved for use in the County's model contract. Risk Management has recently proposed that the insurance coverage and

language in the County's model contract be revised. County Counsel and Risk Management will be working on these changes over the next several months. However, the Sheriff-Coroner's Office has a need to move forward with this contract to provide the respective services to the Jail inmates. In addition, the agreement contains language that is not the County's standard language. The differences include mutual indemnification language, a lower annual aggregate of Two Million Dollars (\$2,000,000.00) for Professional Liability insurance, and a provision that Automobile Liability insurance language should include non-owned vehicles used in connection with this agreement. County Counsel also added language to the Agreement requiring cyber liability and technology professional liability insurance coverage.

The Department believes the insurance coverage required in Section 11 as well as the remainder of the agreement adequately protect the interests of the County in this contract and County Counsel is comfortable signing the agreement as to legal form. Therefore, the Sheriff-Coroner's Office recommends that your Board approve the agreement in its current form.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with Jail Education Solutions Inc. dba Edovo
On file with Clerk - Budget Resolution (Org 1500)
On file with Clerk - Budget Resolution (Org 3111)

CAO ANALYST:

Jeannie Z. Figueroa