



Board Agenda Item 35

DATE: August 7, 2018

TO: Board of Supervisors

SUBMITTED BY: Jean M. Rousseau, County Administrative Officer

SUBJECT: Retroactive Agreement with the Superior Court

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute a retroactive Agreement with the Superior Court of California for charges to County Departments for the Court's Odyssey System access, door access, badges, and WiFi usage effective August 1, 2018, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$600,000.

There is no additional Net County Cost associated with the recommended action, which will allow the Superior Court of California (Court) to begin charging County departments for access to the Court's Odyssey system, automated door access, badges, and WiFi usage. The departments that will be charged are listed on Exhibit 2 to the recommended agreement. This item is countywide.

ALTERNATIVE ACTION(S):

If the recommended action is not approved, the Court will not provide County departments with access to the Odyssey system, automated door access, badges, or WiFi usage, impacting the ability of each listed department to conduct County business efficiently.

RETROACTIVE AGREEMENT:

The recommended agreement is retroactive due to the effective date of August 1, 2018, and the associated timeline for bringing this item to your Board.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The County departments listed on Exhibit 2 to the recommended agreement have included sufficient funding in each of their FY 2018-19 budget requests and will continue to do so for subsequent years. The Court charges are detailed on Exhibit 1 to the recommended agreement. The charges are based on actual costs for materials and maintenance and time studies for labor costs. The charges are subject to change on a yearly basis based on actual costs.

The agreement maximum compensation is \$120,000 per year, not to exceed a total amount of \$600,000 for the five-year term of the agreement. The costs paid by County departments for these charges are based on each department's operational need.

DISCUSSION:

The Court's Odyssey system is a case management system that County departments utilize to access various case types such as criminal, civil, probate, family, and juvenile cases. The Court currently provides County departments Odyssey system access for logons, automated door access, WiFi usage, and badges. The Court has not previously charged the County for these services, absorbing approximately \$96,000 per year in associated costs. The Court proposes to begin charging County departments for these services/access.

The County departments that utilize these services are listed on Exhibit 2 to the recommended agreement. County departments have reviewed their user lists for these charges and have revised them as needed to address their specific operational needs. The door access charges are for the automated security doors that Probation and Child Support Services staff use to gain access to the Courts to conduct business. The badge charges are for new and replacement badges that are used for the automated door access.

The following should be noted with regard to the agreement:

- Disclosure of self-dealing transactions language is not included, as the Court does not operate as a corporation;
- The agreement contains a provision for cyber liability insurance;
- The agreement deviates from County standard in that it does not contain limits for the insurance provision consistent with a Memorandum of Understanding between the Court and the Auditor-Controller/Treasurer-Tax Collector; and
- The agreement contains a mutual hold harmless provision, and language that allows for termination upon either party providing ninety (90) days advance written notice of an intention to terminate.

Risk Management has reviewed the mutual hold harmless clause and deems it acceptable.

REFERENCE MATERIAL:

BAI #26, January 23, 2018

ATTACHMENTS INCLUDED AND/OR ON FILE:

Agreement with the Superior Court

CAO ANALYST:

Samantha Buck