



County of Fresno

Hall of Records, Rm. 301
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Legislation Details (With Text)

File #: 17-1296 **Name:** Agreement with Mark43 Inc. for the Next Generation of Public Safety System (NGPSS)

On agenda: 11/14/2017 **In control:** Sheriff - Coroner
Final action: 11/14/2017

Enactment date: **Enactment #:** Agreement No. 17-576, Agreement No. 17-577

Title: Approve and authorize the Chairman to execute an agreement with Mark43 Inc. for the implementation of and subscription to the Mark 43 Suite, Next Generation Public Safety Systems, effective November 14, 2017 through August 31, 2026, total not to exceed (\$11,700,150); and approve and authorize the Chairman to execute addendum to agreement with Mark43 Inc. for implementation and subscription to the Mark 43 Suite, Next Generation Public Safety Systems, effective November 14, 2017 through August 31, 2026

Sponsors:

Indexes:

Code sections:

Attachments: 1. Agenda Item, 2. Agreement A-17-576 with Mark43, Inc., 3. Agreement A-17-577 with Mark43-Fresno Addendum

Date	Ver.	Action By	Action	Result
11/14/2017	1	Board of Supervisors	Conducted Hearings	Pass

DATE: November 14, 2017

TO: Board of Supervisors

SUBMITTED BY: Margaret Mims, Sheriff-Coroner

SUBJECT: Agreement with Mark43 Inc. for the Next Generation of Public Safety System (NGPSS)

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute an agreement with Mark43 Inc. for the implementation of and subscription to the Mark 43 Suite, Next Generation Public Safety Systems, effective November 14, 2017 through August 31, 2026, total not to exceed (\$11,700,150); and**
- 2. Approve and authorize the Chairman to execute addendum to agreement with Mark43 Inc. for implementation and subscription to the Mark 43 Suite, Next Generation Public Safety Systems, effective November 14, 2017 through August 31, 2026.**

The recommended actions will approve an agreement and addendum with Mark 43 to allow for the replacement of end of life computer systems within the Sheriff-Coroner's Office with the subscription to a suite of Next Generation Public Safety Systems (NGPSS) for an eight-year period (the initial base "year" will actually be 22 months to allow for a 10 month implementation period). The Addendum was utilized to modify certain provisions of Mark43's standardized agreement and to supplement that agreement to incorporate boilerplate County provisions making the agreement more favorable to the County

The new systems integrate Computer Aided Dispatch (CAD), Records Management System (RMS), California

Law Enforcement Telecommunications Systems (CLETS) and other ancillary support systems.

ALTERNATIVE ACTION(S):

There is no alternative action. The current vendor, Motorola, that supports the Sheriff-Coroner's CAD, RMS and CLETS, will no longer support these systems after August 31, 2018.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The total cost to implement the NGPSS is \$11,700,150 over an eight-year period. The first payment of \$1.2 million will cover a 22-month period due to 10 months of implementation. The savings from annual support for the end of life Motorola systems, estimated to be approximately \$682,972, will partially offset the annual subscription costs of Mark43. The remaining \$517,028 will be offset with existing appropriations within the Sheriff-Coroner's Org 3111 FY 2017-18 Adopted Budget and will be included in future requested budgets. Mark43 has proposed an initial base "year" of twenty-two months to allow for implementation time prior to the go-live date of September 2018 for NGPSS. Invoices for the initial base year will be payable according to milestones throughout the initial base year of the agreement.

- Base Year (22 Months) - Nov. 14, 2017 - August 31, 2019 - \$1.2M
- Year 2 - Sept 1, 2019 - August 31, 2020 - \$1.2M
- Year 3 - Sept 1, 2020 - August 31, 2021 - \$1.2M
- Year 4 - Sept 1, 2021 - August 31, 2022 - \$1.2M
- Year 5 - Sept 1, 2022 - August 31, 2023 - \$1.2M
- Year 6 - Sept 1, 2023 - August 31, 2024 - \$1.2M + \$60K (5%) = \$1,260,000
- Year 7 - Sept 1, 2024 - Aug. 31, 2025 - \$1,260,000 + \$63K (5%) = \$1,323,000
- Year 8 - Sept 1, 2025 - Aug. 31, 2026 - \$1,323,000 + \$66,150 (5%) = \$1,389,150
- Sub Total for the 8 Year Agreement = \$9,972,150
 - $\$9,972,150 / 750 \text{ license users} / 8 \text{ yrs} = \$1,662 \text{ per license} / 12 = \$138.50 \text{ per user per month}$
- \$1,728,000 for contingency for up to 100 additional sworn users in excess of the allowance of 750 users for anticipated growth in the 8 year term
 - $\$1,728,000 / 100 \text{ license users} / 8 \text{ yrs} = \$2,160 \text{ per license/per year} / 12 \text{ months} = \$180 \text{ per user per month}$
- Total for the 8 Year Agreement = **\$11,700,150**

The maximum potential amount payable over the eight-year term shall not exceed \$11,700,150.

DISCUSSION:

Current vendor Motorola Solutions, Inc. informed the Sheriff-Coroner's Office in Fall 2013 that the CAD, RMS, CLETS Message Switch and almost all of their associated programs would no longer be supported after August 31, 2018. These systems consist of the most crucial systems for Sheriff public safety operations for communications between dispatch and field units as well as documenting incidents and crimes occurring within Fresno County. This change does not affect the department's current Jail Management System from Motorola Solutions, OffenderTrak, which is still under active support.

Within the Sheriff-Coroner's Office, a project team consisting of functional subject matter experts and Information Technology Analysts began reviewing current operations and systems with the goal of documenting the functionality needed in the next CAD, RMS and CLETS systems. The process to gather information took almost a year to complete and included discussions with other agencies who currently utilize the department's systems. In the summer of 2014, the process began of writing the supporting material necessary to describe functional operations, interfaces, and other requirements to meet the needs of the

department and more than 35 other agencies who use the systems. Based on the gathered information, County Purchasing issued Request For Proposal (RFP) #17-003 in August of 2016.

As outlined in the RFP, the proposed systems need to address current functionality and demonstrate progression towards utilizing modern technology and implementation approaches more common within recent years. Systems must also provide an environment to promote regional multi-agency interoperability and communications while supporting multi-site, multi-agency coordinated efforts of law enforcement agencies.

Under the direction/supervision of the County Purchasing Division and the Sheriff-Coroner's Office, all required county processes, procedures and protocols - relative to RFPs and acquisitions - were closely followed.

County Purchasing received bids in response to the RFP from seven different companies: Sungard, TriTech, Mark43, Level II (CLETS only), Tyler, Motorola Solutions and Hexagon (CAD & RMS only). A multi-disciplinary team comprised of staff from the Sheriff-Coroner's Office's Patrol, Detectives, Sergeants, Records, Dispatch, and ITSD units; and allied agency Kingsburg Police Department, with oversight from the Purchasing Division of the Internal Services Department, evaluated each bid based on system design and functionality. The candidate list for demonstrations was narrowed to six vendors: TriTech, Mark43, Level II, Tyler, Motorola Solutions and Hexagon by the beginning of February 2017.

Demonstrations to the evaluation team and a comprehensive evaluation of each bid unanimously narrowed the selection by June 2017 to a single vendor, Mark43.

In September 2017, negotiations began with Mark43 to finalize a system package and cost. Additional licensing was included, which allows all agencies currently using Sheriff's systems to utilize the new systems. Many of the users of the existing system are seeing NGPSS as a regional enabler for interoperability that will extend beyond the borders of Fresno County as well as open new opportunities for sharing and accessing data across varying devices and infrastructure.

The acquisition of NGPSS will allow the Sheriff-Coroner's Office and its allied agencies throughout Fresno County to continue critical operations past the end of support of existing systems in August 2018. The savings from annual support for end of life Motorola systems, estimated to be approximately \$682,972, will be used to partially offset the annual subscription costs of Mark43.

Approval of the recommended actions will allow for a \$1,728,000 contingency for an additional one hundred licenses throughout the 8-year term. The additional licenses will be used for anticipated department growth and for allied agencies that request to use the system. Costs for the additional licenses used by allied agencies will be billed to the agency requesting access. Approval of the agreement would also lock the cost at \$180 per license for additional users during the term of the agreement.

The proposed agreement deviates from the standard five-year agreement of a three-year base with two one-year extensions to allow Mark43 to implement a robust system to allow for technological growth. The County released an RFP asking for an eight-year agreement to allow the department to utilize a system that would not need to be replaced in five years. The amount of effort to implement and change these systems, which are critical to day-to-day operations, will take many years. This includes converting data, training administrators and end-users, building interfaces to other agencies and systems as well as the stability of statics used for annual reporting and other purposes. Due to these factors, it is recommended the Board approve an eight-year agreement plus ten months for implementation. The Sheriff-Coroner's previous systems, which Mark43 will replace, were in operation for 20 years (Tiburon) and 13 years (Motorola).

In addition, this agreement is not in the County model contract format. Although Mark43 agreed to integrate most of the County's boilerplate contract terms into the agreement via the addendum, some provisions that are unfavorable to the County remain. These include: (1) mutual indemnification language; and (2) certain amounts recoverable under the contract are limited to the amounts paid under contract. Further, Mark43 would

not agree to include the County's "Self-Dealing" provision. Despite the foregoing, the Sheriff-Coroner's Office believes that the benefits of the agreement far outweigh any potential risks and recommends approval of the agreement (including the addendum) as a prudent business decision.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Mark 43 - Fresno Agreement
On file with Clerk - Mark 43 - Fresno Addendum

CAO ANALYST:

Jeannie Z. Figueroa