

Title Section:

- a. Approve and authorize the Contracts / Purchasing Officer or Designee to sign Amendment Number 4 to the Agreement with NICE Systems, Inc., to retroactively continue existing maintenance services of the NICE audio logging recording system for an additional year, March 27, 2017 through March 26, 2018 in the amount of \$47,691, and to add purchase and maintenance of features required to make the system compatible with the NGEN system in the amount of \$53,150, for a new Agreement amount not to exceed \$100,841.00;
- b. Approve up to three (3) amendments providing for three (3) renewals of one year each for maintenance and support services, subject to review of County Counsel, provided the increased cost of such renewals does not exceed ten percent (10%) of Agreement costs (\$10,084.10), for a total cost maximum cost of \$110,925.10 per renewal, and provided that the terms of the Agreement remain substantially unchanged, including nonstandard provisions previously approved by the Board.

RECOMMENDATION:

- a. Approve and authorize the Contracts / Purchasing Officer or Designee to sign Amendment Number 4 to the Agreement with NICE Systems, Inc., to retroactively continue existing maintenance services of the NICE audio logging recording system for an additional year, March 27, 2017 through March 26, 2018 in the amount of \$47,691, and to add purchase and maintenance of features required to make the system compatible with the NGEN system in the amount of \$53,150, for a new Agreement amount not to exceed \$100,841.00;
- b. Approve up to three (3) amendments providing for three (3) renewals of one year each for maintenance and support services, subject to review of County Counsel, provided the increased cost of such renewals does not exceed ten percent (10%) of Agreement costs (\$10,084.10), for a total cost maximum cost of \$110,925.10 per renewal, and provided that the terms of the Agreement remain substantially unchanged, including nonstandard provisions previously approved by the Board.

SUMMARY:

The NICE Agreement currently provides for general maintenance and support for the NICE audio logging recording system; Amendment No. 4 is required to continue that maintenance and support for an additional year.

Amendment Number 4 to the NICE Agreement is also required to upgrade the audio logging capability of the NICE recording system to be compatible with NGEN Public Safety Radio System, using the Harris P25 digital radio system operating system version 10A.1. Amendment Number 4 provides for the purchase of licensing, software and hardware, and maintenance services to implement the capability upgrade and adds these costs to the current NICE maintenance Agreement.

DISCUSSION:

On July 18, 2006 the Board of Supervisors approved the purchase of the NICE digital recording system. This critical system is used to record all 911 and non-emergency telephone calls answered and radio traffic handled by the Emergency Communications Center. The recordings are critical to providing information in court hearings as well as for quality analysis and training.

On April 27, 2010, the Board of Supervisors approved a maintenance and support Agreement with NICE Systems, Inc. in an amount not to exceed \$48,000 for one year, including non-standard provisions that authorize continued renewals of maintenance services. Amendments Nos. 1 through 3 to the NICE Systems Inc. Agreement have continued maintenance of the NICE digital recording system in the amount authorized and without change to the non-standard terms authorized by the Board. Amendment No. 4, would continue this existing annual maintenance in the amount of \$47,691 for the period of March 27, 2017 through March 26, 2018.

It is now necessary to add additional features to the NICE digital recording system so it is compatible with the current version of the NGEN radio operating system, and to add support and maintenance of these additional compatibility features.

Amendment No. 4 provides for implementation of the additional features necessary for compatibility with the NGEN system at a cost not to exceed \$53,150. When combined with the existing support and maintenance agreement with NICE Systems, Inc. for \$47,691, the Agreement will be for a cost not to exceed \$100,841.00. Amendment No. 4 does not change the non-standard terms previously approved by the Board.

The version of Amendment No. 4 submitted for the Board's approval bears electronic signatures of NICE Systems, Inc. managers who do not hold the positions described in the amendment signature blocks. This is due to the exigencies of time, in order to obtain immediate Board of Supervisors' approval, as delay in presentation of this amendment to the Board will cause significant delay in implementation of the NGEN project. The Emergency Communications Department will obtain hard copies of the Amendment, with the handwritten signatures of the appropriate corporate officers within the week and will circulate that version for internal County signatures and approvals. County Counsel will ensure that Nice Systems, Inc. signatures meet County requirements.

OTHER AGENCY INVOLVEMENT:

County Counsel cannot approve continuation of the non-standard contract terms. Risk Management cannot approve non-standard insurance and indemnification provisions. The Information Technology Department has been working closely with the Emergency Communications Department to ensure that the upgrade of the existing audio logging features will meet the recording requirements of the NGEN Radio System and the user agencies.

FINANCING:

Costs associated with the continued maintenance agreement are included in the current budget. The costs for the additional features required of the P25 Harris integration were not originally part of the FY 2016/2017 budget as this upgrade was unanticipated.

A Budget Change Request will be submitted to the Budget Committee for consideration/approval that includes the cost of this upgrade. The additional actual costs associated with the upgrade will be billed to the user agencies at the close of Fiscal Year 2016/2017.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This Board Report provides for the continued maintenance of existing public safety radio dispatch systems that contribute to the create of a safe environment for people to achieve their potential, leading businesses and communities to thrive and grow by reducing violent crimes as well as crime in general.

- Economic Development
- Administration
- Health and Human Services
- Infrastructure
- XX Public Safety

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Approved by: William Harry, Director of Emergency Communications, Ext. 8880

Attachments

NICE Systems Maintenance Services Agreement

NICE Systems Maintenance Agreement Amendment No. 1

NICE Systems Maintenance Agreement Amendment No. 2

NICE Systems Maintenance Agreement Amendment No. 3

NICE Systems Maintenance Agreement Amendment No. 4

NICE County of Monterey Amendment No. 4 Exhibit A1