



Monterey County Board of Supervisors

Board Order

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1st Floor
Salinas, CA 93901
831.755.5066
www.co.monterey.ca.us

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to:

Agreement No.: A-15710; Amendment No.: 3

- a. Approve and Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign a renewal and Amendment #3 with Telmate Inc., to incorporate California Public Utilities Commission (CPUC) and Federal Communications Commission (FCC) changes and extend the agreement by two (2) years retroactive to January 1, 2022, with a new term end date of December 31, 2023, which will allow time to go out to RFP; and
- b. Approve and Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign Amendments as necessary based on CPUC and/or FCC changes.

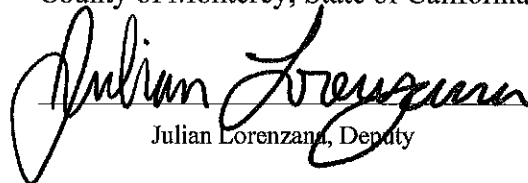
PASSED AND ADOPTED on this 1st day of March 2022, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Askew and Adams
NOES: None
ABSENT: None
(Government Code 54953)

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting March 1, 2022.

Dated: March 8, 2022
File ID: 22-179
Agenda Item No.: 56

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California


Julian Lorenzana, Deputy

AMENDMENT #3 TO RFP-10537 AGREEMENT A-13370

AMENDMENT #3 TO RFP-10537 AGREEMENT A-13370 BY AND BETWEEN COUNTY OF MONTEREY & TELMATE, LLC

THIS AMENDMENT is made to the AGREEMENT for inmate/ward telephone services for the Monterey County Sheriff's Office and Monterey County Probation Department, by and between **TELMATE, LLC**, hereinafter "CONTRACTOR", and the County of Monterey, a political subdivision of the State of California, hereinafter referred to as "County".

WHEREAS, the County and CONTRACTOR originally entered into this Agreement on December 14, 2016 and a term date ending December 13, 2019; and

WHEREAS, the County and CONTRACTOR amended the AGREEMENT by extending the term of AGREEMENT by one (1) year with a new end date of December 13, 2020; and

WHEREAS, the County and CONTRACTOR amended the AGREEMENT by extending the term of the AGREEMENT by one (1) year with a new end date of December 13, 2021.

WHEREAS, the County and CONTRACTOR wish to amend the AGREEMENT per CPUC Decision Rulemaking 20-10-002 issued August 23, 2021, the FCC Third Report and Order on Reconsideration and Fifth Further Notice of Proposed Rulemaking in WC Docket No. 12-375 on May 24, 2021 and 40682 Federal Register/Vol. 86, No. 142/Wednesday, July 28, 2021/Rules and Regulations, and by extending the term of the AGREEMENT by two (2) years with a new end date of December 13, 2023.

NOW THEREFORE, the County and CONTRACTOR hereby agree to amend the AGREEMENT in the following manner:

1. Section 3., "TERM OF AGREEMENT" shall be, "*The term of this Agreement is from 12/14/2016 to 12/13/2023.*"
2. Attachment A-1 is hereby modified, per CPUC Decision Rulemaking 20-10-002 issued August 23, 2021, as follows (effective October 7, 2021):
 - 1) Number 1.a, 1.b, & 1.c – rate is hereby changed to seven (\$0.07) cents per minute
 - 2) Number 2.a, 2.b & 2.c – no fee is permitted
 - 3) Number 2.d – shall have a cap of \$6.95 per transaction
 - 4) Number 5.a – rate is changed to one (\$0.01) cent per minute of each completed billable inmate telephone service phone call
3. Attachment A-1 is also hereby modified, per the FCC Third Report and Order, Order on Reconsideration, and Fifth Further Notice of Proposed Rulemaking in WC Docket

AMENDMENT #3 TO RFP-10537 AGREEMENT A-13370

No. 12-375 on May 24, 2021, and 40682 Federal Register/Vol. 86, No. 142 (effective October 26, 2021) as follows:

- 1) Number 1.d – rate is hereby changed to twenty-one cents (\$0.21) per minute plus the applicable call termination rate for the destination country as published on the Company’s website, which may be updated every 3 months in accordance with the FCC Order.
4. Except as provided herein, all remaining terms, conditions and provisions of the AGREEMENT are unchanged and unaffected by this AMENDMENT and shall continue in full force and effect as set forth in the AGREEMENT.
5. A copy of the AMENDMENT shall be attached to the original AGREEMENT executed by the County on December 14, 2016.

AMENDMENT #3 TO RFP-10537 AGREEMENT A-13370

IN WITNESS WHEREOF, the parties have executed this AMENDMENT on the day and year written below.

MONTEREY COUNTY

DocuSigned by:
Debra R. Wilson
73741937A00D41B
Contracts/Purchasing Officer

Dated: 3/9/2022 | 12:50 PM PST

Approved as to Fiscal Provisions:

DocuSigned by:
Joy Molasco
E60C442ED05B437
Deputy Auditor/Controller

Dated: 2/15/2022 | 2:23 PM PST

Approved as to Liability Provisions:

Risk Management

Dated:

Approved as to Form:

DocuSigned by:
Im Grant
454AG3456FD4400...
Deputy County Counsel

Dated: 2/14/2022 | 9:46 AM PST

Telmate, LLC

By: *Deb Alderson*
Signature of Chair, President, or Vice-President

Deb Alderson, President and CEO
Printed Name and Title

Dated: 01/25/2022

By: *[Signature]*
(Signature of Secretary, Asst. Secretary, CFO, Treasurer or Asst. Treasurer)*

John C. Pitsenberger, EVP and CFO
Printed Name and Title

Dated: 01/25/2022

County Board of Supervisors' Agreement Number: A-13370 .

*INSTRUCTIONS: If CONTRACTOR is a corporation, including limited liability and non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two specified officers. If CONTRACTOR is a partnership, the name of the partnership shall be set forth above together with the signature of a partner who has authority to execute this Agreement on behalf of the partnership. If CONTRACTOR is contracting in an individual capacity, the individual shall set forth the name of the business, if any, and shall personally sign the Agreement.

Telmate, LLC
Revenue Generating
Term: 12/14/2016 to 12/13/2022

