



Legislation Details (With Board Report)

File #: 16-170 **Name:** Approve and Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to sign a Non-Standard Information Technology Agreement with Cellebrite, Inc.

Type: General Agenda Item **Status:** Consent Agenda

File created: 2/3/2016 **In control:** Board of Supervisors

On agenda: 2/23/2016 **Final action:**

Title: a. Approve and authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to sign a Non-Standard Information Technology Agreement with Cellebrite, Inc. to purchase grant funded equipment and two years of software maintenance for the Sexual Assault Felony Enforcement (SAFE) program in the amount of \$27,642;
 b. Authorize a modification of the County standard insurance language as recommended by the Sheriff/Coroner; and
 c. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to sign up to two (2) amendments to the agreement where the amendment does not significantly change the scope of work, and the amendments in total do not exceed the amount of \$3,000 for a total cumulative not to exceed contract amount of \$30,642.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Non-Standard County Agreement, 3. Completed Board Order

Date	Ver.	Action By	Action	Result
2/23/2016	1	Board of Supervisors	amended	

- a. Approve and authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to sign a Non-Standard Information Technology Agreement with Cellebrite, Inc. to purchase grant funded equipment and two years of software maintenance for the Sexual Assault Felony Enforcement (SAFE) program in the amount of \$27,642;
- b. Authorize a modification of the County standard insurance language as recommended by the Sheriff/Coroner; and
- c. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to sign up to two (2) amendments to the agreement where the amendment does not significantly change the scope of work, and the amendments in total do not exceed the amount of \$3,000 for a total cumulative not to exceed contract amount of \$30,642.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to sign a Non-Standard Information Technology Agreement with Cellebrite, Inc. to purchase grant funded equipment and two years of software maintenance for the Sexual Assault Felony Enforcement (SAFE) program in the amount of \$27,642; and
- b. Authorize a modification of the County standard insurance language as recommended by the Sheriff/Coroner; and
- c. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to sign up to two (2)

amendments to the agreement where the amendment does not significantly change the scope of work, and the amendments in total do not exceed the amount of \$3,000 for a total cumulative not to exceed contract amount of \$30,642.

SUMMARY/DISCUSSION:

The Monterey County Sheriff's Office (MCSO) has the opportunity to receive grant funding to purchase a cutting edge forensic examination tool to aide in prosecuting sexual assaults. Cellebrite, Inc. manufactures a line of Universal Forensic Extraction Devices (UFED's) that unlock the massive amount of data stored in mobile devices (telephones, laptops, portable GPS devices, tablets, and memory cards) and analyze the data. It enables detectives to extract data on timely basis, unifies data retrieved from several different sources and organizes data into a common "view" that allows the end user to share and integrate data for further analysis. The device can only be used after a search warrant has been received by the MCSO. The UFED units are presently deployed in over 30,000 locations worldwide, and are used by both governmental and law enforcement agencies.

Staff recently attended a conference, and has received basic training on the operation of new unit being proposed for purchase. MCSO has 2 lower cost/less sophisticated Cellebrite units that were purchased three years ago, so staff is very familiar with the technology. Presently, the older units are used by both MCSO and District Attorney Investigators. The new unit will be used to supplement the existing UFED units at the MCSO.

Funding for the unit will come from the Regional Sexual Assault Felony Enforcement office, and this will be a "no cost" purchase for the MCSO. The cost of the hardware, with tax, is \$17,558 and the software support is \$5,042 per year. The unit and first year of software support (\$22,594) will be paid from grant funds. The second year's support costs (\$5,042) will be paid from operational funds.

A copy of this agreement is on file with the Clerk of the Board.

OTHER AGENCY INVOLVEMENT:

County Counsel has approved the agreement as to legal form, the County Information Technology Department has reviewed the technical components of the contract and the Auditor/Controller has reviewed for fiscal provisions. Risk is unable to sign this agreement due to lack of endorsements provided and non-standard indemnity, limitations and warranties.

The contract contains limits of liability similar to most Information Technology contracts which caps the contractor's liability to the cost of equipment purchased. The vendor has been unable to provide Primary/Non-Contributory language due to its international ownership. The Sheriff/Coroner supports the purchase of the equipment as operationally important to the prosecution of sexual assaults, and respectfully requests that the Board of Supervisors accept these limits of liability.

FINANCING:

Funding for the purchase of the equipment and first year's cloud support contract will be fully reimbursed by the Regional SAFE office. There will be no increase in FY 2015-16 General Fund Contribution as a result of this Board action.

Prepared by: Nina Ryan, Management Specialist ext. 3708

Approved by: Stephen Bernal, Sheriff/Coroner ext. 3725

Attachments:

Non-Standard County Agreement between County of Monterey and Cellebrite, Inc.