



## Legislation Details (With Board Report)

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|----------------------|---------------|----------------------|----------------------|
| <b>File #:</b>       | A 23-114      | <b>Name:</b>         | NGEN Agreement       |
| <b>Type:</b>         | BoS Agreement | <b>Status:</b>       | Passed               |
| <b>File created:</b> | 4/5/2023      | <b>In control:</b>   | Board of Supervisors |
| <b>On agenda:</b>    | 4/18/2023     | <b>Final action:</b> | 4/18/2023            |

**Title:**

- a. Authorize the Chief Information Officer to sign a non-standard Agreement for Next Generation Radio System (NGEN) Services and Governance for the term of five years; and
- b. Accept non-standard terms and conditions as recommended by the Chief Information Officer.
- c. Approve terms providing for automatic five-year renewal terms after the first five-year term subject to County Counsel review and provided that the terms of the agreement remain substantially the same.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Non-Standard Agreement, 3. Completed Board Order Item No. 52

| Date      | Ver. | Action By            | Action | Result |
|-----------|------|----------------------|--------|--------|
| 4/18/2023 | 1    | Board of Supervisors |        |        |

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**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

- a. Authorize the Chief Information Officer to sign a non-standard Agreement for Next Generation Radio System (NGEN) Services and Governance for the term of five years; and
- b. Accept non-standard terms and conditions as recommended by the Chief Information Officer.
- c. Approve terms providing for automatic five-year renewal terms after the first five-year term subject to County Counsel review and provided that the terms of the agreement remain substantially the same.

**SUMMARY:**

The Agreement for NGEN Services and Governance is the top-level document supporting the governance, operations, and maintenance of the NGEN radio communications system. The NGEN system provides radio communications for law, fire, ambulance, and 9-1-1 dispatch services within Monterey County. The Agreement provides details regarding governance of the system, roles and responsibilities for the parties and participants, the budget and billing process, and general terms and conditions applicable to all parties.

**DISCUSSION:**

The Agreement addresses the following governance, operation and maintenance, and contractual terms and conditions:

Definition of the NGEN system: The System is comprised of two-way radio technology that provides county-wide communications coverage using supplemental and overlapping digital and analog technology. A system overview is included in Exhibit A, and a Service Level Agreement for operations and maintenance of the

system is included in Exhibit B of the Agreement.

**Governance:** The Governance of the NGEN system is directed by the seven-member NGEN Executive Board, (subject to Brown Act) and the eleven-member NGEN Operations Board. The NGEN Executive Board makes decisions affecting the costs, nature and scope of the public safety radio communications services provided to their organizations. The NGEN Operations Board makes recommendations to the Executive Board regarding Operations and Maintenance (O&M) of the system, policy and procedures, and technical standards.

**Agreement Term:** The term and renewal of the Agreement are for an initial five years and will automatically renew for successive periods of five years after the first five-year term. Prior to each renewal period, the NGEN Boards shall review the Agreement to determine if any changes are necessary.

**New Parties:** Any addition of new parties requires approval of the NGEN Executive Board, Payment of a Buy-In fee to be determined by the NGEN Executive Board, as well as future recurring Operations & Maintenance (O&M) payments and a signed Memorandum of Agreement.

**Budget and Billing:** The budget development process, billing, True-Up (the radio device county for all agencies using either the P25 digital trunked system (Digital), the analog conventional system (Analog), or both), and cost allocation is comprised of the following: ITD staffing costs for NGEN systems support, external vendor costs, costs to maintain various radio communication sites, and County cost-allocation.

**General and legal terms:** The agreement includes sections pertaining to records and confidentiality, indemnification, insurance, non-discrimination, and other general terms.

The Chief Information Officer recommends entering into this non-standard Agreement to provide governance and policy for the County's law, fire, ambulance, and 9-1-1 dispatch services.

**OTHER AGENCY INVOLVEMENT:**

County Counsel has reviewed and approved the form of this non-standard agreement.

**FINANCING:**

Anticipated Revenue has been included in the FY23-24 Requested Budget for the Information Technology Department, ITD 1930, Appropriations Unit INF002. Transactions relating to future fiscal years will be included in each respective Recommended Budget based upon the anticipated utilization of the services.

**BOARD OF SUPERVISORS STRATEGIC INITIATIVES:**

This radio system will provide critical radio communications to portions of Monterey County and enhance public safety for all first responders, school districts, and the community.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Teresa Meister, Management Analyst II, x6938

Approved by:

\_\_\_\_\_ Date: \_\_\_\_\_  
Eric A. Chatham, Chief Information Officer, 759-6920

Attachments:  
Non-Standard Agreement