



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: 17-0804, **Version:** 1

- a. Approve and authorize the Contracts/Purchasing Officer or his Designee accept the non-standard Apple Developer Enterprise Program License Agreement Apple, Inc., in an amount not to exceed \$299, for one (1) year, starting August 1, 2017 through with July 31, 2018, to enable mobile users in the field to use iOS devices to access and use the recently installed Computer Aided Dispatch (CAD) System at the Emergency Communications Department.
- b. Approve non-standard provisions as recommended by the Director of the Emergency Communications Department.
- c. Authorize up to five (5) future annual purchases of the Apple Developer Enterprise Program License, subject to the review and approval of County Counsel, so long as the amendments add no more than 10% of the original agreement price, per agreement update, and the terms are not significantly altered by the vendor.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Contracts/Purchasing Officer or his Designee accept the non-standard Apple Developer Enterprise Program License Agreement Apple, Inc., in an amount not to exceed \$299, for one (1) year, starting August 1, 2017 through with July 31, 2018, to enable mobile users in the field to use iOS devices to access and use the recently installed Computer Aided Dispatch (CAD) System at the Emergency Communications Department.
- b. Approve non-standard provisions as recommended by the Director of the Emergency Communications Department.
- c. Authorize up to five (5) future annual purchases of the Apple Developer Enterprise Program License, subject to the review and approval of County Counsel, so long as the amendments add no more than 10% of the original agreement price, per agreement update, and the terms are not significantly altered by the vendor.

SUMMARY/DISCUSSION:

The Emergency Communications Department completed the installation of a new Computer Aided Dispatch (CAD) system at the close of Fiscal Year 2016/17. As part of the licensed CAD functionality, the TriTech Inform Me for iOS software feature is available for use by mobile users in the field using iOS devices such as iPads. In order to implement the iOS feature, an Apple Developer Enterprise Program License Agreement is required.

Inform Me for iOS devices extends the functionality of the TriTech mobile data application (Inform Mobile) to an easy-to-use, portable application on iOS mobile devices. Inform Me provides access to mission critical CAD information to law enforcement, fire, and emergency medical users who don't have constant access to an Inform Mobile client on a mobile computer. The Inform Me application lets users view critical CAD information, update their status, send messages, view incident and unit statuses on a map, and perform other

mission critical functions.

While the Inform Me feature is part of the original contract for the new CAD system with TriTech, the iOS software feature requires a standalone contract with Apple Inc.

OTHER AGENCY INVOLVEMENT:

Agency Users are in support of the purchase and integration of this feature as part of the new CAD system.

County Counsel has reviewed the Apple Developer Enterprise Program License Agreement cannot approve due to the following nonstandard terms: vendor disclaimer of costs/damages caused by installation of vendor's software; vendor's disclaimer of obligation to update software; vendor's unilateral right to terminate County's access to its software, without notice; County sole responsibility for losses or liabilities arising from its use of vendor's software; vendor's disclaimer of all liabilities arising from County's use of its software; vendor's disclaimer of warranty; vendor's right to change the terms of the agreement at any time; County obligation to maintain vendor's confidential information; County's obligation to defend and indemnify vendor; automatic renewal provisions; vendor's right to collect County information; and non-standard venue and choice of law provisions. Risk does not approve non-standard indemnity provisions.

FINANCING:

The funds for the purchase of the software feature is included in the current Emergency Communications annual budget: EME001-001-1520-8065-6408.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Create 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.

Mark a check to the related Board of Supervisors Strategic Initiatives

X Public Safety

Prepared by: Claudia S. Garza, Management Analyst II, Ext. 8887

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

Attachments:

Apple_Developer_Enterprise_Program_License_Agreement_20170605.pdf

Apple Developer Enterprise Program Developer Cost.pdf