



County of Monterey

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

Board Report

File #: 12-934, **Version:** 1

- a. Ratify the Tiburon, Inc. Agreement for Extended Services executed in July, 1997 and actually used since that time for maintenance and support of the Computer Aided Dispatch system used by Monterey County Emergency Communications;
- b. Approve and authorize an auto-renewal clause;
- c. Accept Non-Standard County Liability and Indemnification Provisions as recommended by the Director of Emergency Communications; and
- d. Approve and authorize the Contracts / Purchasing Officer to issue Purchase Orders for the amounts identified in Exhibit A and B as specified each year of the term upon recommendation of the Director of Emergency Communications.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. a. Ratify the Tiburon, Inc. Agreement for Extended Services executed in July, 1997 and actually used since that time for maintenance and support of the Computer Aided Dispatch system used by Monterey County Emergency Communications;
- b. Approve and authorize an auto-renewal clause;
- c. Accept Non-Standard County Liability and Indemnification Provisions as recommended by the Director of Emergency Communications; and
- d. Approve and authorize the Contracts / Purchasing Officer to issue Purchase Orders for the amounts identified in Exhibit A and B as specified each year of the term upon recommendation of the Director of Emergency Communications.

SUMMARY:

Tiburon, Inc. is the provider of the County Computer Aided Dispatch (CAD), 911 dispatch system. This system has been in place since 2000; following the County's execution of an Agreement in 1997 to replace the then existing system, and provide for Extended Service to provide annual software support and maintenance. While the software support and maintenance services provided resolve trouble and "bug" issues and provides for software upgrades, the service does not include items that are defined as "enhancements" to the software or on-site support needed in the case of a major upgrade or change.

Each year, Tiburon submits a new Exhibit A and Exhibit B to this agreement to reflect current pricing. This Extended Service Agreement was approved in 1997 and, since that time, has been updated annually with current rates from the vendor. During the process for submitting a request for payment this fiscal year, it was recommended that this agreement is forwarded to the Board since there is not an existing record of Board approval of this Agreement and this is not a standard County agreement.

DISCUSSION:

The Tiburon CAD system has been in service since 2000, with three significant software and/or hardware upgrades since that time. The end of life for this system, at which time the vendor will provide basic maintenance only, with no support for upgrades or enhancements, has been announced by the vendor to be

2015. If this timeline is not extended, the Department, at the direction of the Emergency Communications Users Advisory Council (ECUAC), will begin the process of seeking a replacement system in 2013-14.

While the Department has negotiated price reductions in the past, the typical annual increase in cost is 5% plus any additional service costs associated with any enhancements completed during the previous year. These Enhancement Requests are regularly considered by the Department in an effort to continue to improve the safety and efficiency of dispatch services provided to the residents that are served by the consolidated dispatch center. On April 26, 2011, the Board of Supervisors authorized the Contracts / Purchasing Office to sign Enhancement Proposals totaling up to \$100,000 each year. Depending on the type of enhancement made, signature on that document may result in additional service costs. Each Enhancement Request is carefully reviewed with the cost balanced against the improvements to public safety before acceptance. In some cases, the costs of an enhancement and associated services are passed through to the public safety agency or agencies that made the original request for the enhancement.

OTHER AGENCY INVOLVEMENT:

The proposed agreement has not been approved by County Counsel because it was never validly executed, has already expired, includes limitations on liability, includes only one corporate signature when two are required, and insurance coverage and proof of insurance coverage is lower than the County standard. The agreement has been in place over 15 years and, under this Agreement, the Department of Emergency Communications has received ongoing support of the CAD system and has been able to resolve issues with this vendor including performance issues resulting in credits to the County. Considering that the existing agreement has served the County for 15 years, the length of time required to negotiate a new agreement with this vendor, and the critical need for the ongoing support of the existing Computer Aided Dispatch system, the Director of Emergency Communications requests that this Agreement is approved by the Board. While this agreement includes an auto-renewal clause, it also includes termination with 90 days written notice. County Counsel does approve this Board report. Risk Management cannot approve limitation of liability, non-standard insurance, and non-standard indemnification provisions in the vendor's standard Agreements and therefore requires approval from the Board of Supervisors.

FINANCING:

The County pays about 30% of the costs of this system. Revenue from outside agencies covers about 70% of Department expenses, based on the billing formula and cost sharing structure contained in the 911 Dispatch Services Agreement.

Sufficient funds are included in the Emergency Communications Department Budget for FY 12 - 13. Costs for future budget years will be requested in the appropriate fiscal year budget for the appropriate department.

Prepared by:

DeAnna Hilbrants - Administrative Manager 769-8883 _____

Approved by:

Lynn Diebold - Director of Emergency Communications 769-8880 _____

Attachments: Agreement for Extended Services, Exhibit A & B for FY 2013