



Board Report

File #: A 24-194, **Version:** 1

- a. Authorize the Contracts Purchasing Officer or their designee to execute an Agreement with West Publishing Corporation for CLEAR Government Fraud Investigative Software, for the period retroactive to December 1, 2023 through May 31, 2029, in the maximum amount of \$80,000;
- b. Accept non-standard contract provisions as recommended by the Public Defender;
- c. Approve and authorize the Contracts Purchasing Officer or their designee to sign up to three future amendments to this Agreement where the total amendments do not exceed 10% (\$8,000) of the original Agreement amount and do not significantly change the scope of work, for a not to exceed revised maximum amount of \$88,000.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Authorize the Contracts Purchasing Officer or their designee to execute an Agreement with West Publishing Corporation for CLEAR Government Fraud Investigative Software, for the period retroactive to December 1, 2023 through May 31, 2029, in the maximum amount of \$80,000;
- b. Accept non-standard contract provisions as recommended by the Public Defender;
- c. Approve and authorize the Contracts Purchasing Officer or their designee to sign up to three future amendments to this Agreement where the total amendments do not exceed 10% (\$8,000) of the original Agreement amount and do not significantly change the scope of work, for a not to exceed revised maximum amount of \$88,000.

SUMMARY:

It is requested that the Board authorize approval of a non-standard Agreement and amendments with West Publishing Corporation, for the provision of government investigative software, specifically, CLEAR Proflex a investigations advanced online software interface; to provide a dashboard interface, alerting capability, real time gateways, web analytics information; and to provide assistance with investigations by the Investigative Unit of the Public Defender in its mission to provide quality legal service to indigents charged with crimes in the County of Monterey. This agreement shall include pro-rated months from December 2023 through May 2024 for continued usage of the software. It was necessary for service to remain active and without interruption for Public Defender Investigators to carry out and accomplish the day-to-day requirements of trial preparation and case research while West Publishing Corporation's legal unit carefully reviewed the renewal of this Agreement.

DISCUSSION:

CLEAR forensic investigative software provides the following services to the Public Defender's Office, assisting in legal representation of indigents charged with crimes in Monterey County:

1. Real-time Gateways: CLEAR includes several live gateways that provide real-time access to data, helping to ensure that users can obtain the most up-to-date information available. CLEAR's real-time access includes gateways to credit header data, vehicle registration data, and phone data - including cell phones.
2. Locator data: Live gateways, mentioned above, are valuable for obtaining the most current address

available, but other types of data can be especially useful in this regard too. Utility records can be particularly valuable for obtaining current addresses. The utility data is updated daily and is included in both the Person Search and Phone Search. In addition to the utility data source, utility hookup records are also contained in the New Movers data set.

3. Web Analytics: CLEAR offers the Web Analytics add-on option as a federated data source. This search feature provides access to both deep-Web and surface-Web content from one search interface.
4. Credit Headers: Regularly updated credit information filed from two of the major credit bureaus are included.
5. Other capabilities include: Utility Records / Driver License Data / Death Filings and other relevant capabilities.

The Agreement is non-standard for the County. It adopts modifications to the County's standard agreement, set forth in Exhibit B, Addendum to Order Form Q-05721482. Additionally, the proposed agreement provides investigative software services to the Public Defender from December 1, 2023, through May 31, 2029. The Public Defender negotiated a five-year contract to receive a lower rate.

OTHER AGENCY INVOLVEMENT:

County Counsel has approved as to form.

FINANCING:

Funding is available within the existing budget for the Public Defender, and future funding is anticipated to continue.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This contract meets the Board's strategic initiatives by providing "Efficient and Effective Government Operations". This contract also meets a Key Objective by achieving a balanced budget that sustains core services and efficiently allocates resources.

Mark a check to the related Board of Supervisors Strategic Initiatives

☐ Economic Development
☒ Administration
☐ Health & Human Services
☐ Infrastructure
☐ Public Safety

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Approved by: Susan E. Chapman, Public Defender, Ext. 5806

Attachments:

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Agreement with West Publishing Corporation- Westlaw CLEAR