



County of Monterey

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

Board Report

File #: 17-0138, **Version:** 1

- a. Approve and authorize the Contracts/Purchasing Officer to sign an Agreement and the included Grant Assurances, retroactive to November 1, 2016, with the City and County of San Francisco, to accept \$176,908 in Urban Areas Security Initiative grant funds to partially fund replacement of Monterey County's Computer Aided Dispatch System;
- b. Approve non-standard terms and conditions as recommended by the Director of the Department of Emergency Communications; and
- c. Approve and authorize the Contracts/Purchasing Officer to sign up to three (3) future amendments to the Agreement, subject to County Counsel review, to accept additional Urban Areas Security Initiative grant funds where the amendments do not significantly change the terms of the Agreement.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Contracts/Purchasing Officer to sign an Agreement and the included Grant Assurances, effective retroactive to November 1, 2016, with the City and County of San Francisco, to accept \$176,908 in Urban Areas Security Initiative grant funds to partially fund replacement of Monterey County's Computer Aided Dispatch System;
- b. Approve non-standard terms and conditions as recommended by the Director of the Department of Emergency Communications; and
- c. Approve and authorize the Contracts/Purchasing Officer to sign up to three (3) future amendments to the Agreement, subject to County Counsel review, to accept additional Urban Areas Security Initiative grant funds where the amendments do not significantly change the terms of the Agreement.

SUMMARY/ DISCUSSION:

The County Department of Emergency Communications (ECD) has been awarded a grant from the Federal Emergency Management Agency (FEMA), pursuant to its Urban Areas Security Initiative (UASI) Program, payable through the applicable Bay Area Urban Area (UASI Region), in the amount of \$176,908 for the Fiscal Year (FY) 2016 grant cycle. The City and County of San Francisco has been designated as the primary grantee and fiscal agent for distribution of UASI Program funds, with responsibility to execute subgrant agreements with jurisdictions selected to receive funding; it enters into the Agreement with the County in those capacities. The grant will be expended to partially pay the cost of a replacement Computer Aided Dispatch (CAD) system for the County.

ECD was previously awarded \$1,000,000 from the FEMA UASI Grant Program, through the Bay Area Urban Area Approval Authority ("Approval Authority"), in the FY 2014-15 grant cycle. The Memo of Intent and the Board Report submitted for authorization to receive the FY 2015-16 UASI Program grant funds stated that if additional grant funding was awarded, ECD would return to the Board for authorization to enter into an additional Agreement. ECD now seeks that authorization and recommends acceptance of the additional grant funds in order to complete upgrades to ECD's CAD system and insure adequate 911 services to the public.

The CAD system is the backbone of the County's Emergency Communications Center; it is used to determine the location, jurisdiction, and desired response of law enforcement, fire protection, and emergency medical responders. The CAD system replacement also includes a Mobile Data Communications System (MDCS), and the capability to link to CAD systems in other 911 centers. The MDCS provides a critical link to law

enforcement, fire protection and emergency medical responders in the field. The upgraded CAD will also provide links to all local agencies served by ECD through multiple data interfaces that can be used for records management and information collection and reporting.

Given the ongoing work on the CAD project and overall ECD workload, this request seeks the Board's approval of the Agreement, with a beginning date retroactive to November 1, 2016.

The County's current CAD system is over 16 years old and will not be supported by the vendor as of March 31, 2017. Following a rigorous functional needs analysis and development of technical specifications, the contract for the replacement CAD was approved by the Board of Supervisors in December 2015. The first scheduled payment to the vendor was made that month. UASI program reimbursement under the provisions of the FY 2014-5 UASI grant occurred in January 2016. With the participation of all user agencies, the implementation of the replacement CAD and the mobile law enforcement, fire protection, and emergency medical applications will occur in February 2017.

OTHER AGENCY INVOLVEMENT:

Risk Management cannot approve the Agreement and Grant Assurances document as to indemnification, insurance provisions and non-standard terms.

County Counsel has reviewed the Agreement and associated documents and cannot approve due to the following non-standard terms: County obligation to indemnify, defend, and hold harmless the City and County of San Francisco; limitations on the type of damages available to the County in the event of the City and County of San Francisco's breach of the Agreement; limitations on the amount of the City and County of San Francisco's liability to the amount of the grant funds disbursed; the City and County of San Francisco's right to unilaterally withhold or demand reimbursement of grant funds; the City and County of San Francisco's right to unilaterally terminate the Agreement for convenience, without cause; and venue of litigation arising out of the Agreement in the City and County of San Francisco.

FINANCING:

The price for the purchase of the replacement CAD system was \$2,407,112. An amendment in FY 16 modifying the original contract by \$253,040.00 reduced the overall balance due to \$2,153,418.87. \$1,000,219 was paid during FY 2015-16; of which \$1,000,000 was reimbursed with FY 14-15 UASI funds. If approved by the Board, FY 2016 UASI funds will pay for an additional \$176,908 of the CAD system replacement cost, leaving a balance due of \$976,291.87.

Currently, the Departments' Reserve Fund 20 reflects a balance of \$1,976,131.33. The current Reserve Fund balance is sufficient to cover the balance of the CAD costs totaling \$976,291.87 in addition to a pending transfer to the general fund for reimbursement of NGEN expenses totaling \$845,506. Use of Reserve Fund has been approved by the MCECC Executive Board to cover the balance of the CAD project.

If necessary, a request for an increase in appropriations will be brought before the Board in a separate Board Report as the cost of the project was not included in the FY 16/17 budget process. The Request for Proposals for the CAD, as well the contract negotiations were still ongoing at the time that the FY 16/17 budget was prepared.

Furthermore, is anticipated that any additional project costs for the CAD will be shared by all agencies participating in the consolidated dispatch center based on the 911 Dispatch Services Agreement executed

between the County and partner agencies.

Costs for future budget years will be requested by ECD in the appropriate fiscal year budget.

Prepared by: Claudia S. Garza, Administrative Manager, 8887

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

Attachments:

Agreement between the City and County of San Francisco and the County of Monterey for the Distribution of FY 2016 UASI Grant Funds