County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169

LEROY D. BACA, SHERIFF

December 2, 2008

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Dear Supervisors:

**APPROVE AMENDMENT NUMBER 13
FOR AUTHORIZATION OF EXTENSION OF AGREEMENT NUMBER 71792
WITH NORMAN L. FOGEL FOR DATA PROCESSING CONSULTANT SERVICES
(ALL DISTRICTS) (3 VOTES)**

**CIO RECOMMENDATION: APPROVE (X) APPROVE WITH MODIFICATION ( )
DISAPPROVE ( )**

SUBJECT

This Board letter serves to execute Amendment Number 13 to Agreement Number 71792 that will extend the current Agreement for an additional period of performance and increases the contractor's hourly rate. The current Agreement with Norman L. Fogel (Contractor) will expire on March 31, 2009, and this additional extension period will enable the Los Angeles County Sheriff's Department (Department) to transition smoothly from the existing Computer Aided Dispatch (CAD) subsystem to a new CAD subsystem and/or to allow for the upgrade of existing CAD subsystem should the purchase of a new CAD subsystem not materialize in the near future.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve and instruct the Chair of the Board to sign the attached Amendment Number 13 to Agreement Number 71792 with the Contractor to continue providing data processing consultant services for the Department's CAD subsystem of the Mobile Digital Communications System (MDCS). The proposed Amendment extends the Agreement for a period of two (2) years, effective April 1, 2009, and thereafter provides for an option to extend for three

(3) additional one-year periods and a six (6) month option, in any increment, for a total Amendment cost not to exceed $660,000. The proposed Amendment increases the maximum Agreement amount from $1,041,480 to $1,701,480.

2. Authorize the Sheriff, or his designee, to execute Amendments to the Agreement to meet the needs of the Department if it is in the best interest of the County, sufficient funding is available, and the approval of the Chief Information Officer and County Counsel is obtained prior to execution, including the above extension provisions and the addition of new or revised standard County contract provisions adopted by your Board during the term of the Agreement.

3. Approve an increase to the Contractor's hourly rate from $75 to $100, effective upon execution of Amendment Number 13.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of this action will allow the current Contractor to continue providing software maintenance and support for the CAD subsystem of the MDCS. The MDCS functions as the command and control communication system for the Department's field operations.

Implementation of Strategic Plan Goals

The services provided under this Agreement support the County's Strategic Plan, Goal 1, Service Excellence, and Goal 8, Public Safety, by ensuring the continued operation of the MDCS, which is the command and control communication system used by the Department.

FISCAL IMPACT/FINANCING

The Department has identified sufficient funding in its Fiscal Year 2008-09 adopted budget for this Amendment. Effective April 1, 2009, the maximum annual contract sum shall not exceed $120,000 (1200 maximum hours at $100 per hour). The Department will continue to allocate the funds required to continue these services throughout the duration of this Agreement. The maximum contract sum for this Amendment only, including all extensions, shall not exceed $660,000. This Amendment increases the maximum Agreement amount from $1,041,480 to $1,701,480. This Amendment also increases the Contractor's all-inclusive hourly rate for services from $75 per hour to $100 per hour, effective upon execution of this Amendment. The Contractor has not had an increase in the hourly rate of compensation since 2004.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The MDCS is a computer-aided dispatch system that interfaces with vehicular-based mobile data terminals, the 65 channel UHF radio system, the emergency 9-1-1 telephone system, and with State and County law enforcement databases. The hardware configuration consists of a central host computer network using Hewlett Packard (HP) EXPAND connected with 22 Department station computers located throughout the County of Los Angeles. The system is unique and was custom designed to meet the Department's specific requirements.

CONTRACTING PROCESS

The Department released a Request For Information (RFI) on July 30, 2008, to determine if there were firms or individuals in addition to the current Contractor that could provide the required specialized technical services. The RFI was posted on the County's Bid Website and the Department's Website. It was also mailed to 15 vendors identified through previous solicitations. Norman L. Fogel was the only vendor that responded to the RFI.

Norman L. Fogel is in compliance with all Board, Chief Executive Office, and County Counsel requirements.

County Counsel has reviewed and approved this Amendment as to form. Also, the Chief Information Officer has reviewed and approved this Amendment.

Except as expressly provided in Amendment Number 13, all other provisions and conditions of the Agreement will remain the same and in full force and effect.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of these actions will ensure the continued operation of the Department's communications dispatch system to enable the field operations to perform legally mandated responsibilities.

CONCLUSION

Upon approval by your Board, please return two (2) adopted copies of this Board letter and two (2) original executed copies of Amendment Number 13 to the Department's Contracts Unit.

Sincerely,

LEROY D. BACA
SHERIFF

Reviewed by:

RICHARD SANCHEZ
ACTING CHIEF INFORMATION OFFICER

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

AMENDMENT NUMBER 13 TO AGREEMENT NO. 71792 FOR MOBILE DIGITAL COMMUNICATIONS SYSTEM DATA PROCESSING CONSULTANT SERVICES

This Amendment Number 13 is entered into by the County of Los Angeles (hereinafter "COUNTY") and Norman L. Fogel, a sole proprietor (hereinafter "CONTRACTOR"), effective upon execution by the Board of Supervisors, based on the following recitals:

A. WHEREAS, on October 1, 1998, COUNTY and CONTRACTOR entered into COUNTY Agreement Number 71792 (hereinafter "Agreement") to provide Data Processing Consultant Services for the Computer Aided Dispatch (CAD) subsystem of the Mobile Digital Communications System (MDCS); and

B. WHEREAS, on March 3, 2004, the Board of Supervisors approved a long term extension of the Agreement and authorized Sheriff to exercise extension options; and

C. WHEREAS, this Agreement currently expires on March 31, 2009; and

D. WHEREAS, COUNTY does not have the technical staff with the skills and expertise required to maintain the CAD subsystem; and

E. WHEREAS, COUNTY and CONTRACTOR desire to modify the Agreement now to extend the term of the Agreement to avoid an interruption of services and to increase CONTRACTOR's hourly rate for services from $75 per hour to $100 per hour; and

F. WHEREAS, upon execution of this Amendment Number 13, CONTRACTOR will agree to a long term extension of the Agreement when CONTRACTOR is under no legal obligation to do so.

NOW THEREFORE, in consideration of the foregoing recitals, all of which are incorporated as part of this Agreement, the parties hereby agree that Agreement Number 71792 is amended as follows:

1. Section 3.0, Period of Performance is hereby amended to read as follows:

   Effective April 1, 2009, the term of this Agreement shall be extended for a period of two (2) years with the option to extend for three (3) additional one-year periods and a six (6) month option, in any increment. SHERIFF shall have the delegated authority to exercise all extension options.

2. Section 5.0, Price and Contract Sum, Subsection 5.1 is hereby amended to read as follows:

   5.1 Effective April 1, 2009, CONTRACTOR will invoice SHERIFF for actual consultant hours worked in each invoice period at the all inclusive rate of $100.00 per hour, not to exceed 1,200 hours per year. The total Agreement amount for this Amendment Number 13 only, including all extensions, shall not exceed $660,000.

   5.1.1 During the remaining term of the current Third Extension Year of Amendment Number 9, which is the date of execution of this Amendment Number 13 through March 31, 2009, CONTRACTOR's all inclusive rate for services shall increase from $75 per hour to $100 per hour. As such, CONTRACTOR will invoice SHERIFF for actual consultant hours worked in each invoice period at the all inclusive rate of $100.00 per hour, not to exceed 1,200 hours per year. In order to fully fund the rate increase, the maximum cost of the Third Extension Year authorized under Amendment Number 9, which is from April 1, 2008 through March 31, 2009, shall be increased from $90,000 to $135,000. The Total Agreement amount for Amendment Number 9 only, including all extensions through March 31, 2009, shall remain unchanged and shall not exceed $495,000 since the additional six (6) month option period available under Amendment Number 9 shall not be exercised.

3. Section 5.0, Price and Contract Sum, Subsection 5.2 is hereby amended to read as follows:

   5.2 The total Agreement amount for all time periods, including any and all extensions, shall not exceed the maximum Agreement amount of $1,701,480. There is no guarantee that the maximum amount of $1,701,480 will be paid during the term of this Agreement. No out-of-pocket expenses are covered in the Agreement.

4. Exhibit B, Price Sheet is replaced in its entirety as attached.

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

AMENDMENT NUMBER 13 TO AGREEMENT NO. 71792
FOR MOBILE DIGITAL COMMUNICATIONS SYSTEM
DATA PROCESSING CONSULTANT SERVICES

IN WITNESS WHEREOF, the parties hereto have caused this Amendment Number 13 to be executed on its behalf by its duly authorized officers.

THE COUNTY OF LOS ANGELES

By: _____
Chair, Board of Supervisors

ATTEST:
SACHI A. HAMAI
Executive Officer
Los Angeles County
Board of Supervisors

By: _____
Deputy

CONTRACTOR

By: NORMAN L. FOGEL, A SOLE PROPRIETOR

Signed: Norman L. Fogel

Printed: Norman L. Fogel

APPROVED AS TO FORM:
RAYMOND G. FORTNER, JR.
County Counsel

By: Michele Jackson
Michele Jackson
Deputy County Counsel

EXHIBIT B

PRICE SHEET

AMENDMENT NUMBER 13 TO AGREEMENT NO. 71792

SERVICE: DATA PROCESSING CONSULTANT FOR MOBILE DIGITAL COMMUNICATIONS SYSTEM (MDCS)

For Agreement extension effective as of April 1, 2009

Consultant hourly rate: $100 per hour

Maximum amendment price based on above hourly rate:

$100 per hour x 1200 maximum hours	=	$120,000	First Year
$100 per hour x 1200 maximum hours	=	$120,000	Second Year
$100 per hour x 1200 maximum hours	=	$120,000	First Extension Year
$100 per hour x 1200 maximum hours	=	$120,000	Second Extension Year
$100 per hour x 1200 maximum hours	=	$120,000	Third Extension Year
$100 per hour x 600 maximum hours	=	$ 60,000	Six month option
Maximum Amendment No. 13 Cost	=	$ 660,000	

For the current Third Year Extension pursuant to Amendment Number 9

Consultant hourly rate:
$75 per hour 4/1/08 to Board Execution of Amendment Number.13
$100 per hour Board Execution of Amendment Number 13 to 3/31/09

1,200 maximum hours and maximum Third Extension Year cost of *$135,000

*The maximum cost of the Third Extension Year authorized under Amendment Number 9, which is from April 1, 2008 through March 31, 2009, shall be increased from $90,000 to $135,000. The Total Agreement amount for Amendment Number 9 only, including all extensions through March 31, 2009, shall remain unchanged and shall not exceed $495,000, since the additional six (6) month option period available under Amendment Number 9 shall not be exercised.

CIO ANALYSIS

AMENDMENT NUMBER 13 TO AGREEMENT 71792 WITH NORM FOGEL FOR DATA PROCESSING CONSULTING SERVICES

CIO RECOMMENDATION: ☒ APPROVE ☐ APPROVE WITH MODIFICATION ☐ DISAPPROVE

Contract Type:
☐ New Contract ☒ Contract Amendment ☐ Contract Extension
☐ Sole Source Contract ☐ Hardware Acquisition ☐ Other

New/Revised Contract Term: **Base Term:** 2 Yrs **# of Options** Three 1-year terms

Contract Components:
☐ Software ☐ Hardware ☐ Telecommunications
☒ Professional Services

Project Executive Sponsor: Acting Chief David R. Betkey

Budget Information :

Y-T-D Contract Expenditures	$ 1,041,480
Requested Contract Amount	$ 660,000
Aggregate Contract Amount	$ 1,701,480

Project Background:

Yes	No	Question
☐	☒	Is this project legislatively mandated?
☐	☒	Is this project subvented? If yes, what percentage is offset? .
☐	☒	Is this project/application applicable to (shared use or interfaced) other departments? If yes, name the other department(s) involved.

Strategic Alignment:

Yes	No	Question
☒	☐	Is this project in alignment with the County of Los Angeles Strategic Plan? The services provided in this Agreement are in support of the County's Strategic Goal 1 – Service Excellence and Goal 8 – Public Safety.
☒	☐	Is this project consistent with the currently approved Department Business Automation Plan? This project was identified in the Sheriff's FY 2008-09 Business Automation Plan.

Impact On Service Delivery Or Department Operations, If Proposal Is Not Approved:

This Amendment, if not approved, will prevent the Sheriff's Department ability to support MDCS and significantly increases the risk to the Department's ability to perform dispatches and communications with its patrol cars.

Alternatives Considered:

No alternatives currently exist that would provide uninterrupted application maintenance services.

Project Risks:

There is minimal project risk since the Department has been using consulting services from the Contractor since 1989 and is satisfied with the level of service and quality of deliverables provided by the Contractor.

Risk Mitigation Measures:

Adequate mitigation measures have been established in the Agreement and the Contractor is in compliance with all Board, Chief Executive Office, and County Counsel requirements.

Financial Analysis:

The first year cost of this Amendment ($120,000) is funded by the Department's Fiscal Year 2008-09 adopted budget.

CIO Concerns:

None.

CIO Recommendations:

My Office supports this action and recommends approval by the Board.

CIO APPROVAL

Date Received: October 31, 2008

Prepared by: Pat

Date: November 6, 2008

Approved: Chris Melendez

Date: 11/6/2008