AGN. NO 17

MOTION BY SUPERVISORS HILDA L. SOLIS AND MARK RIDLEY-THOMAS

JANUARY 27, 2015

NON-COMPETITIVE SOLICITATIONS AND SOLE SOURCE AGREEMENTS

For seven years, the Sheriff's Department has contracted with DataWorks Plus, LLC to provide and maintain a digital mugshot management system. The Sheriff's Department is requesting authority to extend DataWorks' exclusive agreement, without a solicitation, for a maximum of seven additional years.

Sole source agreements must be used only with compelling justification. By circumventing the competitive solicitation process, this practice effectively precludes many vendors, especially new, small, and/or minority-owned businesses from competing for County contracts. Sole source contracts thus risk being both unfair and inefficient, failing to obtain the maximum public value for the taxpayer dollar.

The contract at issue today provides an opportunity for the County to reevaluate its use of sole source agreements and the policies that determine this use.

WE, THEREFORE MOVE that the Board of Supervisors:

1) Approve an Agreement with DataWorks Plus, LLC for a period of four years, without option years, and

2) Request the Sheriff, or his designee, to:

   a) Issue a Request For Proposals (RFP) for these services as soon as possible, and
   b) Appear annually at a regular meeting of the Board of Supervisors during the month of January to provide an update on the progress of the RFP process.

3) Direct the Interim Chief Executive Officer (CEO), the Interim Director of the Internal Services Department (ISD), and the Director of Public Works to review the County's sole source agreement policy and report back in writing within 60 days with recommendations for revising the policy to narrow and limit its usage. These recommendations should consider a requirement that the Board be

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Ridley-Thomas _____

Kuehl _____

Knabe _____

Antonovich _____

notified of a potential sole source contract situation while sufficient time remains to pursue a standard competitive solicitation.

4) Direct the Interim CEO, the Interim Director of ISD, the Chief Information Officer (CIO), and the Auditor Controller (A-C) to report back within 30 days on the feasibility of using the existing eCAPS system to implement a Countywide contract tracking tool to inform the Board, CEO, impacted Department(s) and the public of the status of contract solicitations at least 12 to 24 months prior to contract expiration dates; and

5) Direct the CIO and the Interim Director of ISD to develop and maintain a database of existing local and national information technology vendors that includes the technical specifications of available services and products and that is accessible to all County departments for use in developing Invitations for Bids (IFB) and for other uses that enhance the County's procurement process.

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SLS:JAB
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