

Legislation Text

File #: #21-138, Version: 1

PREPARED BY: LT. J. BENONE

DATE OF MEETING: 04/19/21

SUBJECT:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) WAIVING ANY IRREGULARITIES IN THE PROPOSAL OF SUN RIDGE SYSTEMS; (2) APPROVING THE AGREEMENT WITH SUN RIDGE SYSTEMS, INC. FOR THE PURCHASE OF A FULLY-INTEGRATED COMPUTER-AIDED DISPATCH SYSTEM, RECORDS MANAGEMENT, MOBILE COMPUTING AND FIELD REPORTING SYSTEM INCLUDING THREE YEARS OF SERVICE AND MAINTENANCE FOR THE TRI-CITY CONSORTIUM IN THE AMOUNT TOTALING \$1,418,259; (3) AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT WITH SUN RIDGE SYSTEMS INC. CONTINGENT ON FAVORABLE FUNDING AUTHORIZATIONS FROM THE CITIES OF HERCULES AND PINOLE; AND (4) AUTHORIZING THE PAYMENT OF \$178,556, UPON SIGNING THE AGREEMENT USING EXISTING BUDGET RESOURCES FROM THE FY2020/21 POLICE DEPARTMENT SPECIAL DEPARTMENT EXPENSE LINE ITEM (100-2110-44000)

CITY MANAGER RECOMMENDATION

Adopt Resolution

COMPLIANCE STATEMENTS

Improving Public Safety & Preserving Regional Approach are adopted policy items under the FY 2021-23 City Council Priority Work Plan, effective March 15, 2021.

CEQA Compliance Statement

This proposed action is not a project under CEQA pursuant to Guidelines Section 15378(b)(5): Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, but if deemed a project, then under CEQA Guidelines § 15061 (b)(3), in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

BACKGROUND

On July 27, 2016, the Richmond Police Department presented all consortium members with a notice of intent to terminate consortium Records Management and Consolidated Communications services which were being provided by the Richmond Police Department to the cities of San Pablo, Hercules and Pinole.

On November 15, 2016, Staff discussed options with the Council's Public Safety Standing Committee and the Committee directed staff to explore alternate service models, including a new Tri-City model with the Cities of Hercules and Pinole.

On March 6, 2017, the City Council approved the concept of a Tri-City Agreement with the Cities of Hercules and Pinole for Computer Aided Dispatch and Records Management Systems ("CAD/RMS")

services with the understanding that follow-up actions would be necessary during the transition and before the final agreement was presented to Council for approval to maintain continuity of police dispatch and record services (Resolution 2017-038).

Consistent with the San Pablo City Council's Resolution 2017-038, San Pablo, Pinole and Hercules prepared the documents to form a Tri-City Agreement where Pinole would provide communication (dispatch) services and San Pablo would host and maintain the CAD and RMS system and servers.

On May 1, 2017, the San Pablo City Council approved the Tri-City Agreement authorizing the City Manager to finalize and execute the Tri-City Agreement with the cities of Hercules and Pinole for dispatch and CAD/RMS services (Resolution 2017-078).

The Cities of Hercules, Pinole and San Pablo ("Tri-City Consortium") entered into the Tri-City Dispatch Services and CAD/RMS Agreement effective May 11, 2017, to consolidate dispatch services provided by the City of Pinole and CAD/RMS provided by the City of San Pablo for the benefit of the police departments at all three Cities with San Pablo also providing just dispatch services to the police services of the Contra Costa Community College District at the Contra Costa College campus in San Pablo pursuant to an agreement approved by the City Council on August 7, 2017, pursuant to Resolution No. 2017-162.

In order to provide services contemplated by the Tri-City Agreement, the Tri-City Consortium Working Group prepared a Request for Proposals (RFP) for software and services for a fully-integrated computer-aided dispatch system, records management, mobile computing and field reporting system for the Tri-City Consortium.

On August 17, 2020, the Tri-City Consortium, with the City of San Pablo designated as the contracting entity, officially sent out the Request for Proposal via Planetbids.com.

On October 5, 2020, The San Pablo Police Department received the following vendor proposals via Planetbids.com:

| Vendor ID | Vendor Name | Bid Amount |
|-----------|------------------------|-------------|
| 909281 | Sun Ridge Systems Inc. | \$1,444,189 |
| 910494 | Mark43 Inc. | \$1,392,274 |
| 910611 | Tyler Technologies | \$768,758 |
| 911232 | Global Public Safety | \$755,563 |
| 911272 | Colossus Inc. | \$555,423 |
| 900577 | CentralSquare Tech | \$353,052 |

The Tri-City Consortium Working Group reviewed all six vendor proposals. The following proposers were deemed not to meet the specifications: Global Public Safety, Colossus/Caliber and CentralSquare Technologies.

Global Public Safety

Global Public Safety (GPS) indicated they would need to modify their base product to meet twelve

(12) or our system requirements. GPS also indicated they would need to custom enhance their base product to meet twenty-seven (27) of our additional system requirements.

Colossus/Caliber

The Tri-City CAD and RMS system is a single integrated system not two systems interfacing each other. Colossus/Caliber's proposed solution was to utilize a suite of technologies. Colossus/Caliber did not propose any solutions to eighteen (18) of our systems' additional requirements and did not provide an explanation as to why the requirements could not be achieved.

CentralSquare Technologies

The general system requirement for the Tri-City CAD and RMS system is Microsoft Window based. Our system runs on windows 2010-2016-server/windows 8 professional or later platforms. CentralSquare application server runs on Linux Ubuntu. The Tri-City CAD and RMS system must run through the Contra Costa County message switch, via AWS (Automated Warrant System) interface to make CLETS (California Law Enforcement Telecommunications System) queries from our system. CentralSquare made reference they were proposing an interface with Commsys Connect CIC for NCIC, (National Crime Information System) transactions. The Tri City CAD and RMS system requires the ability to create and/or work on reports during a connectivity disruption. CentralSquare stated this requirement was not available with their product. Lastly, CentralSquare did not propose any solutions to sixteen (16) of our systems' additional requirements.

Our current CAD/RMS vendor Tyler Technologies, Mark 43, and Sun Ridge Systems all provided competitive proposals and were selected to demonstrate their software capabilities.

To best showcase each vendor's software, the Tri-City Working Group prepared a scenario, based on an actual criminal investigation. The goal was to have the vendors treat the scenario as a live incident in order to show their CAD/RMS software capabilities from the initial call, through the investigation, records management and statistical reporting. The vendors were provided with the same scenario and instructions.

Due to the COVID-19 Pandemic the demonstrations were conducted via Zoom conferencing. Mark 43 provided their demonstration on November 16th, 2020. Sun Ridge Systems completed their demonstration on November 17th 2020, and Tyler Technologies conducted their demonstration on November 18th 2020.

On November 18th 2020, the Tri-City Working Group met to discuss which vendor was going to be recommend to their respected Chiefs. The working group used the criteria of pricing, system infrastructure, proof of concept/projected viability and responsiveness to RFP Requirements to determine the recommended vendor. The results of this discussion follow:

Sun Ridge Systems (RIM)

- **Pricing at Proposal:**
\$1,444,189
- **System Infrastructure:**
Most components deployed and tested/validated within California agencies currently.

NIBERS/CIBRS fully deployed, (New Federal and State monthly local law enforcement crime reporting).

- **Proof of Concept & Projected Viability**

Good scenario demonstration. “End Users” very satisfied with the easy to follow experience and projected viability high.

- **Responsiveness to RFP Requirements**

Most responsive

- **Clients**

One hundred and sixty eight (168) clients in California which include the local agencies of Alameda PD, Albany PD, Benicia PD, Brentwood PD, Fairfield PD, Kensington PD, Martinez PD, Pleasant Hill PD, Vacaville PD, and Vallejo PD and on a globe aspect they have Walt Disney Studios Security. With their Collaborate Module we can see and share records information with these agencies which supports the preservation of a regional approach.

Mark 43

- **Pricing at Proposal:**

\$1,392,152

- **System Infrastructure:**

Many components planned, but not ready or currently deployed. NIBRS/CIBRS in development, (New Federal and State monthly local law enforcement crime reporting).

- **Proof of Concept & Projected Viability**

Poor demonstration highlighted gaps in their infrastructure. Many “End Users” not able to follow along during the demonstration. Mark 43 did not appear well prepared. Projected viability moderate

- **Responsiveness to RFP Requirements**

Moderately responsive

- **Clients**

Mark 43 has seventeen (17) California agencies as clients which include CHP, Concord PD, Napa Sheriff’s Office and Napa PD.

Tyler Technologies

- **Pricing at Proposal:**

\$768,758

- **System Infrastructure**

Critical components in development and not validated. NIBERS/CIBERS in development, (New Federal and State monthly local law enforcement crime reporting).

- **Proof of Concept & Projective Viability:**

Satisfied some demonstration requirements and projected viability low

- **Responsiveness to RFP Requirements:**

Least responsive

- **Clients**

Tyler Technologies has the following California Cites under contact: Pleasanton PD, Clovis PD, El Cajon PD and Downey PD and San Leandro PD. These agencies are far from our jurisdiction.

The Tri-City Working Group recommended the Chiefs to move forward with contract negotiations with Sun Ridge Systems (RIMS). Sun Ridge systems has most components deployed, tested and validated within California agencies currently including ten (10) local agencies, NIBERS/CIBRS, local crime reporting, is fully deployed, presented a good scenario demonstration where “End Users” were very satisfied with the easy to follow experience, Sun Ridge Systems projected viability high and was the most responsive to the RFP requirements.

The Chiefs met with their respected City Managers and informed them the Tri-City Working Group recommended entering into contract negotiations with Sun Ridge Systems. The City Managers and Chiefs agreed and directed the Tri-City Working Group, along with the assistance of the San Pablo City Attorney, to start contract negotiations with Sun Ridge Systems.

On February 3, 2021, Sun Ridge Systems initiated negotiations with revisions of the Agreement that was attached to the RFP, but Sun Ridge had not noted these revisions in Sun Ridge’s proposal. Thus, it is recommended to waive any procedural irregularities with the failure of Sun Ridge to include its objections to the Agreement with its proposal.

On April 6, 2021, the Tri-City Working Group convened, via Zoom, to discuss the below listed negotiation concerns. The Working Group came to mutual agreement on the following:

Recitals

Sun Ridge Systems objects to the RFP and their Proposal being attached and incorporated into the Agreement.

The Scope of Services, Exhibit A, is completed and the RFP and Sun Ridge Systems’ Proposal can be deleted from the Agreement.

Software Reliability (Section 2.3)

Sun Ridge Systems has objected to the 99% operational standard. Language was revised for the software to be reliable for a 24/7 operation. Sun Ridge will not commit to any language regarding reliability beyond the limited warranty. Sun Ridge Systems demands language regarding reliability be deleted.

There are too many variables that account on reliability to include our equipment. The Working Group believes the software will be more reliable than what we currently have and therefore the Software Reliability section can be delated.

Disclaimer of Other Warranties (Section 6.2)

Sun Ridge Systems is insisting on a cap on damages for product failure/warranty at the cost of the Contract (\$1,418,259).

The Working Group mutually agreed this cap is appropriate

Indemnification

Sun Ridge Systems wants both the indemnity and defense obligations excluded to the extent of the negligence of any of the Cities. There is no exclusion for patent infringement.

The Working Group concurred in regards to 3rd party liabilities it would it would most likely be a failure of equipment i.e. operating system, network or servers - not the software.

Exhibit C Cost Proposal

The Cost Proposal will be attached to the final signed agreement

Exhibit B Support Services Agreement

We had proposed language regarding response times when a problem arises with the software. Sun Ridge Systems has rejected the language indicating they cannot have different standards for different clients.

The Working Group understood Sun Ridge Systems needs to standardize their responses to software issues/problems. The Working Group mutually agreed the response time language will be removed.

Third Party Beneficiaries (Section 12.18)

Sun Ridge Systems refuses to name the Contra Costa Community College District, which will be using the RIMS Mobile Computer Software on mobile devices only through the City, as a third party beneficiary on the Agreement. If there was a dispute regarding the services to the District, the City would likely remain involved.

On April 12, 2021, the San Pablo PD Internal Working Group convened. The Internal Working Group agreed to Sun Ridge Systems' proposed language for Section 12.18. At a future date and time, the Contract between the City and the College District can be amended to ensure the College District will follow the terms and conditions of the Sun Ridge System Agreement.

On April 12, the final version of the Agreement was sent to Sun Ridge Systems for execution.

On April 13, 2021, Sun Ridge Systems sent the City the signed Agreement.

FISCAL IMPACT

In Sun Ridge Systems' initial proposal the total cost, including software, interfaces with 3rd party vendors, our current data conversation and three (3) years of maintenance and support was \$1,444,189. With requested items removed during contract negotiations there was a savings of \$159,955. Additional items were identified during contract negotiations that cost an additional \$134,025 (Contra Costa County Information Exchange ARIES, data conversion and Collaborate module). There are three modules that are only utilized by the San Pablo Police Department totaling

\$31,174. The total contract cost for Sun Ridge Systems to provide the Tri-City Consortium with a fully -integrated computer-aided dispatch system, records management, mobile computing and field reporting systems is \$1,418,259. The amount subject to the cost distribution agreement is \$1,387,084;

Under the current Tri-City MOU and Agreement Formula the City of San Pablo's portion of payment is 49.24% (\$714,225). The City of Pinole's portion of payment is 31.77% (\$440,677) and the City of Hercules' portion of payment is 18.99% (\$263,407).

In FY 2021, once the Agreement is signed by both parties, the City of San Pablo will pay 25%, of their portion, totaling \$178,367 using existing budget resources from the FY 20/21 Police Department Special Department Expense Line Item (100-2110-44000).

The City of Pinole will pay 25% for a total of \$100,169 and the City of Hercules will pay 25% totaling \$65,852. Both the Pinole Police Department and Hercules Police Department will be presenting this purchase to their City Councils.

In FY 22/23, once Sun Ridge Systems' implementation is completed, The City of San Pablo will pay the remainder of their portion totaling \$535,669. The City of Pinole will pay \$330,508 and the City of Hercules will pay \$197,555. All three agencies will return to their respected City Councils for authorization of final payments.