

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SAN BERNARDINO  
AND RECORD OF ACTION**

December 17, 2019

**FROM**

**JOHN McMAHON, Sheriff/Coroner/Public Administrator**

**SUBJECT**

Adopt Resolution to Acquire Cellular Communications Simulator Technology and Approve Contract with Tactical Support Equipment, Inc. to Acquire Cell Site Simulator Equipment

**RECOMMENDATION(S)**

1. Adopt **Resolution No. 2019-191**, as required by California Government Code Section 53166(c), authorizing the acquisition of cell site simulator equipment by the Sheriff/Coroner/Public Administrator.
2. Approve **Contract No. 19-862** with Tactical Support Equipment, Inc. for the acquisition of cell site simulator equipment, maintenance, training, technical support and a three-year warranty, in the amount of \$636,500 (including sales tax), for the period of December 18, 2019 through December 17, 2022.

(Presenter: John Ades, Captain, 387-0640)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Operate in a Fiscally-Responsible and Business-Like Manner.**

**Provide for the Safety, Health and Social Service Needs of County Residents.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The cost of the cell site simulator equipment (simulator), maintenance, training, technical support and three-year warranty in the amount of \$636,500 will be funded by the Sheriff/Coroner/Public Administrator (Department) Federal Asset Forfeiture – Treasury Fund (\$386,500), and the 2018 High Intensity Drug Trafficking Areas (HIDTA) grant award (\$250,000). Sufficient appropriation and revenue are included in the Department's 2019-20 Adopted Budget.

**BACKGROUND INFORMATION**

The Department acquired a cell site simulator in 2012 and it is used within strict guidelines, requiring a court order or a search warrant signed by a magistrate. This technology greatly enhances the Department's efforts to achieve its public safety and law enforcement objectives when deployed in situations such as: critical missing person, homicide, kidnapping, drug trafficking, and other criminal investigations. The simulator is utilized an average of 300 times per year to gather information to assist in locating the identity or whereabouts of suspects, victims or missing persons. The service contract with the existing manufacturer ended in July 2017. The equipment and license are noticed to expire in 2020. As cell phone technology evolves, the current simulator has become obsolete. There is no option from the manufacturer to upgrade or replace parts and other components, nor to renew the service contract.

**Adopt Resolution to Acquire Cellular Communications Simulator  
Technology and Approve Contract with Tactical Support Equipment,  
Inc. to Acquire Cell Site Simulator Equipment  
December 17, 2019**

California Government Code Section 53166, subdivision (c)(1)&(2) states that ... “a local agency shall not acquire cellular communications interception technology unless approved by its legislative body by adoption, at a regularly scheduled public meeting held pursuant to the Ralph M. Brown Act [...], of a resolution or ordinance authorizing that acquisition and the usage and privacy policy required by this section.” Furthermore, ... “the county sheriff shall not acquire cellular communications interception technology unless the sheriff provides public notice of the acquisition, which shall be posted conspicuously on his or her department’s Internet Web site.” The recommended Resolution, once adopted by the Board of Supervisors, will assist the County to provide for the safety, health and social service needs of County residents by authorizing the Department to acquire the simulator pursuant to Government Code Section 53166(c). Currently, the Department has its usage and privacy policy related to the simulator posted on its Internet website, and will post notice of the acquisition on the same website.

**PROCUREMENT**

On September 9, 2019, a request for proposals (RFP No. SHR120-SPOPS-3512) was approved and released through San Bernardino County’s Electronic Procurement Network (ePro) for the provision of a cell site simulator. The Department received one response by the submission deadline from Tactical Support Equipment, Inc. (TSE), from Fayetteville, North Carolina. An evaluation committee reviewed TSE’s proposal based on technical responses, financial statement, professional references and cost, and determined that they have the ability to meet the needs of the County. The evaluation committee recommends TSE for contract award for the period of December 18, 2019 through December 17, 2022 for cell site simulator equipment, maintenance, training, technical support and a three-year warranty. Either party may terminate the agreement upon 30 days written notice.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Richard D. Luczak, Deputy County Counsel, 387-5455) on November 18, 2019; Purchasing (Michael Candelaria, Lead Buyer, 387-0321) November 22, 2019; Finance (Carolina Mendoza, Administrative Analyst, 387-0294) on November 27, 2019; and County Finance and Administration (Kelly Welty, Deputy Executive Officer, 387-5423) on December 3, 2019.

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Record of Action of the Board of Supervisors  
County of San Bernardino

**APPROVED (CONSENT CALENDAR)**

Moved: Robert A. Lovingood Seconded: Josie Gonzales  
Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: December 17, 2019



cc: W/RESOLUTION  
Sheriff's- Ades w/agree  
Contractor- C/O Sheriff's w/agree  
File- w/agree  
la 12/26/2019