

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

March 28, 2023

FROM

SHANNON D. DICUS, Sheriff/Coroner/Public Administrator

SUBJECT

Amendment to Contract with ShotSpotter, Inc., dba Forensic Logic, LLC for COPLINK System Maintenance

RECOMMENDATION(S)

Approve **Amendment No. 5**, including non-standard terms, to **Contract No. 18-741** with ShotSpotter, Inc., dba Forensic Logic, LLC, to extend the term by one year, for a new contract period of November 1, 2018 through March 31, 2024, and increase the contract amount by \$193,380 from \$852,342 to \$1,045,722, for the provision of licensed software maintenance of the COPLINK system.

(Presenter: Kelly Welty, Chief Deputy Director 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 increase of \$193,380 for COPLINK software maintenance will be funded through the United States Department of Homeland Security Grant Program's (HSGP) Fiscal Year 2021 award. Sufficient appropriation and revenue are included in the Sheriff/Coroner/Public Administrator's (Department) 2022-23 budget and will be included in future recommended budgets.

BACKGROUND INFORMATION

The COPLINK system provides law enforcement with cross-jurisdictional information sharing and analysis over a highly secure web-based platform. Since 2012, the Department has contracted for the proprietary hardware and software development, upgrades, and maintenance of the COPLINK system, which have been funded by various HSGP awards. The HSGP Fiscal Year 2021 award was accepted by the Board of Supervisors (Board) on July 12, 2022 (Item No. 52).

On September 25, 2018 (Item No. 47), the Board approved Contract No. 18-741 with Forensic Logic, LLC (Forensic Logic), in a total aggregate amount of \$250,791, to provide software development, proprietary maintenance and technical support of the COPLINK system for the period of November 1, 2018 through October 31, 2019.

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On November 19, 2019 (Item No. 34), the Board approved Amendment No. 1 to Contract No. 18-741 with Forensic Logic, increasing the total amount by \$241,979, from \$250,791 to \$492,770, for the provision of software maintenance and support of the COPLINK system, for the period of November 1, 2018 through March 31, 2021.

On March 9, 2021 (Item No. 39), the Board approved Amendment No. 2 to Contract No. 18-741 with Forensic Logic, increasing the total contract amount by \$175,401, from \$492,770 to \$668,171, for the provision of software maintenance and support of the COPLINK system, for the period of November 1, 2018 through March 31, 2022.

On January 3, 2022, Forensic Logic, the developers of the COPLINK system, was purchased by ShotSpotter, Inc. (ShotSpotter), but continued to do business as Forensic Logic.

On March 1, 2022 (Item No. 55), the Board approved Amendment No. 3 to Contract No. 18-741 with Forensic Logic, increasing the total contract amount by \$184,171, from \$668,171 to \$852,342, for the provision of software maintenance and support of the COPLINK system, for the period of November 1, 2018 through March 31, 2023.

On June 28, 2022 (Item No. 93), the Board approved Amendment No. 4 to Contract No. 18-741 with Forensic Logic to incorporate required language related to the federal Byrd Anti-Lobbying Amendment Clause and Certification per 31 United States Code 1352 (45 Code of Federal Regulations 2543.87) without changes to the term or amount of the contract.

The proposed amendment includes the following non-standard terms and conditions that differ from the standard County contract:

1. **Contract Term:** The proposed amendment extends the contract period by one year for a total contract period of six years.
 - The standard County contract term is five years, including extensions. Indefinite contract terms are not permitted.
 - **Potential Impact:** Extending the contract term beyond five years may limit the County's ability to preview new providers of similar services and their service capabilities.
 - **Justification:** Extending the standard contract term allows the County to maintain software maintenance and technical support through Forensic Logic, who holds the proprietary rights to the COPLINK system.

Per County Policy No. 11-05, contracts containing non-standard terms must be approved by the Board. While the proposed amendment contains this notable exception to the County's standard contract language, the Department recommends approval of the contract with Forensic Logic, to continue software maintenance and technical support of the Department's COPLINK system.

PROCUREMENT

ShotSpotter holds intellectual proprietary rights to content and software used in the COPLINK system. The Purchasing Department concurs with the justification of proprietary maintenance and support with ShotSpotter. The proposed amendment will allow for the continuation of software maintenance and technical support through March 31, 2024. Either party may terminate the contract with 30 days' advance written notice.

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REVIEW BY OTHERS

This item has been reviewed by County Counsel (Richard D. Luczak, Deputy County Counsel, 387-5455) on February 14, 2023; Purchasing (Michael Candelaria, Lead Buyer, 387-0321) on February 16, 2023; Finance (Erika Rodarte, Administrative Analyst, 387-4919) on March 10, 2023; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on March 10, 2023.

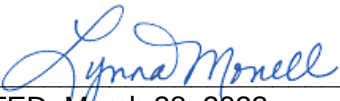
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Curt Hagman
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: March 28, 2023



cc: Sheriff- Welty w/agree
Contractor- C/O Sheriff w/agree
File- w/agree
LA 04/3/2023