

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

October 22, 2024

FROM

SHANNON D. DICUS, Sheriff/Coroner/Public Administrator

SUBJECT

Amendment to Contract with NEC Corporation of America for Maintenance of the CAL-ID Automated Fingerprint Identification System

RECOMMENDATION(S)

Approve **Amendment No. 6 to Contract No. 18-874**, including a non-standard term, with NEC Corporation of America for proprietary hardware maintenance and software support of the CAL-ID Automated Fingerprint Identification System, increasing the total contract amount by \$370,800, from \$2,160,000 to \$2,530,800, and extending the term for one year, for a total contract period of October 20, 2018, through October 19, 2025.

(Presenter: Kelly Welty, Chief Deputy Director, 387-3760)

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 Discretionary General Funding (Net County Cost). The increased cost for hardware and software maintenance services in the amount of \$370,800 is funded by the regional CAL-ID fund, which is maintained by both San Bernardino and Riverside Counties' revenues from Court fines, Department of Motor Vehicles fees, and per capita assessments paid by member agencies. Sufficient appropriation is included in the Sheriff/Coroner/Public Administrator's (Department) 2024-25 regional CAL-ID operating fund (7080008836).

BACKGROUND INFORMATION

In 1985, the California Department of Justice (CAL-DOJ) created a statewide fingerprint identification network known as CAL-ID, divided into eight regions, each using a computer system known as the Automated Fingerprint Identification System (AFIS) to allow access to the State's fingerprint database and to provide fingerprint identification services to law enforcement agencies within each of those regions. In the same year, Riverside and San Bernardino Counties joined to form and operate one of those regions which is governed, along with member cities, through the Remote Access Network (RAN) Board pursuant to Penal Code Section 11112.4.

The Riverside and San Bernardino CAL-ID AFIS is used to organize, store, analyze, and transmit fingerprint data to and from servers within other CAL-ID network participating agencies.

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October 22, 2024**

For this network, CAL-DOJ wanted consistency throughout the state to provide all the regions' AFIS with reciprocal connectivity and communications to the State CAL-ID database.

Since the inception of the regional network, Riverside and San Bernardino Counties have used NEC Corporation of America (NEC) for all AFIS equipment, software, and maintenance needs. This has ensured interoperability and integration, avoiding problems experienced by other regional networks that contracted with other vendors. By utilizing NEC's AFIS, the regional network can better identify individuals by utilizing the established Memoranda of Understanding between the Department and participating law enforcement agencies, for searching fingerprints stored in other law enforcement databases such as the Federal Bureau of Investigation, the Las Vegas Metropolitan Police Department, and the Western Identification Network, which is comprised of the nine western states.

San Bernardino and Riverside Counties, along with member cities, jointly operate the CAL-ID AFIS. Using AFIS technology, fingerprints are captured electronically and are stored in the archive system. The Board of Supervisors (Board) has approved contracts with NEC for proprietary hardware maintenance and software support since 2005.

On December 4, 2018 (Item No. 67), after a lengthy negotiation process, the Board approved Contract No. 18-874 with NEC for proprietary hardware maintenance and software support for the AFIS for the period of October 20, 2018, through October 19, 2019, in the amount of \$360,000.

Subsequently, the Board has approved five amendments to Contract No. 18-874, increasing the contract amount to a total of \$2,160,000, and extending the term through October 19, 2024.

While the parties successfully negotiated certain terms, the amendment includes a non-standard term as follows:

1. This contract shall be effective from October 20, 2018, through October 19, 2025.
 - The County standard contract term is five years, including any extensions.
 - Potential Impact: With approval of this item, the contract's term will be for a period of seven years. Extending the contract term beyond five years is in the best interest of the County due to NEC's proprietary rights of the AFIS system, the beneficial nature of the AFIS system to the safety of county residents, and the mutually beneficial long contractual history between the County and NEC.

The proposed Amendment No. 6 is recommended, including the non-standard term, as it will allow for the continuation of hardware maintenance and software support to AFIS through October 19, 2025. The contract provides for termination at any time upon 90 days' written notice. Due to an administrative oversight, the request for the Board's approval is being submitted at the earliest available meeting.

PROCUREMENT

NEC's AFIS is an existing system that is proprietary in nature, which precludes any other vendor from providing the required system maintenance and system support. The Purchasing Department concurs that a non-competitive justification of proprietary rights exists with NEC's AFIS system.

REVIEW BY OTHERS

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October 22, 2024**

This item has been reviewed by County Counsel (Grace B. Parsons, Deputy County Counsel, 387-5455) on August 20, 2024; Purchasing (Jason Cloninger, Lead Buyer, 387-0321) on August 20, 2024; Risk Management (Greg Ustaszewski, Staff Analyst, 386-9008) on August 20, 2024; Finance (Erika Rodarte, Administrative Analyst, 387-4919) on October 4, 2024; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on October 4, 2024.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: October 22, 2024



cc: Sheriff/Coroner - Welty w/agree
Contractor - c/o Sheriff/Coroner w/agree
File - w/agree
MBA 10/23/2024