

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement with Praeses of Shreveport, LA, to provide inmate telecommunication management services for use by the Department of Corrections under the terms and conditions of Request for Proposal No. 13-10, at no cost to the county.

RESOLUTION #17260, April 26, 2010

INTRODUCED BY Henry C. Rizzo and James D. Tindall, County Legislators

WHEREAS, the Department of Corrections desires to contract with an independent firm to manage and oversee inmate telecommunications services for the inmate population at the Jackson County Detention Center; and,

WHEREAS, the Director of Finance and Purchasing has solicited bids on Request for Proposal No. 13-10 for the furnishing of inmate telecommunication management services for use by the Department of Corrections; and,

WHEREAS, a total of five (5) notifications were distributed and two (2) responses received and evaluated as follows:

<u>Vendor</u>	<u>Rating</u>
Praeses Shreveport, LA	95
Protocall, LLC Olathe, KS	47

and,

WHEREAS, the Director of Finance and Purchasing recommends that the contract be awarded to Praeses of Shreveport, LA, as the best overall bid; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that award be made as recommended by the Director of Finance and Purchasing, and that the Director be, and is hereby, authorized to execute for the County any documents necessary to the accomplishment of the award.

BE IT FURTHER RESOLVED by the County Legislature of Jackson County, Missouri, that the County Executive be and hereby is authorized to execute a Cooperative Agreement with Praeses of Shreveport, LA, in a form to be approved by the County Counselor, at no cost to the county; and,

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

Patricia Fellini
Deputy/Assistant County Counselor

William G. Suedler
Acting County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #17260 of April 26, 2010, was duly passed on *May 3*, 2010 by the Jackson County Legislature. The votes thereon were as follows:

Yeas *9*

Nays *0*

Abstaining *0*

Absent *0*

5.3.10
Date

Mary Jo Spino
Mary Jo Spino, Clerk of Legislature

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 17260

Sponsor(s): Henry C. Rizzo, James D. Tindall

Date: April 26, 2010

<p>SUBJECT</p>	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Authorizing the County Executive to execute a contract for Inmate Telecommunication Management Services for the Department of Corrections to Praeses of Shreveport, Louisiana under the Terms and Conditions of Request for Proposal No. 13-10.</u></p>										
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$-0-</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$-0-</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$-0-</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT TO ACCT</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION: <input checked="" type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): N/A Prior Year Actual Amount Spent (if applicable): N/A</p>	Amount authorized by this legislation this fiscal year:	\$-0-	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$-0-	Amount budgeted for this item * (including transfers):	\$-0-	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT
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Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT										
<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date): Prior resolutions and (date):</p>										
<p>CONTACT INFORMATION</p>	<p>RIA drafted by (name, title, & phone): Barbara Casamento, Purchasing Supervisor, 881-3253</p>										
<p>REQUEST SUMMARY</p>	<p>The Department of Corrections would like an independent firm to manage and oversee Inmate Telecommunications Services for the Inmate Population at the Jackson County Detention Center. The services this firm would provide would be: independent and objective telecommunications management; design and implementation of specifications for future Request for Proposal's; consulting services and historical and ongoing reconciliation services.</p> <p>There would be no cost to the County for these services; the recommended vendor would charge a rate of the total monies paid by Inmate Telecommunications Services and guarantees an increase on the average monthly net return.</p> <p>A total of five notifications were distributed and two responses were received and evaluated as follows:</p> <table> <thead> <tr> <th>Vendor</th> <th>Rating</th> </tr> </thead> <tbody> <tr> <td>Praeses of Shreveport, LA</td> <td>95</td> </tr> <tr> <td>Protocall, LLC of Olathe, KS</td> <td>47</td> </tr> </tbody> </table> <p>Ratings were based on a 100 point system consisting of response to terms and conditions; experience; qualifications of managers; proposal content and cost. Praeses rated higher for the following reasons: (1) they will do historical reconciliations, Protocall does not; and (2) Praeses quoted a firm percentage rate and guarantees increased revenues as requested in the Request for Proposal, Protocall quoted hourly rates which are not clearly definable for this project.</p>	Vendor	Rating	Praeses of Shreveport, LA	95	Protocall, LLC of Olathe, KS	47				
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Praeses of Shreveport, LA	95										
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	Pursuant to Section 1054.6 of the Jackson County, Code 1984, the Director of Finance and Purchasing recommends the award for Inmate Telecommunications Management Services to Praeses of Shreveport, Louisiana, under the Terms and Conditions of Request for Proposal No. 13-10, as the best proposal received.	
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) N/A <input type="checkbox"/> Business License Verified (Purchasing & Department) N/A <input checked="" type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS	Abstract of Bids received, Award Recommendation from Ms. Laura Scott, Department of Corrections and the pertinent pages of Praeses's proposal.	
REVIEW	Department Director:	Date: 4-16-10
	Finance (Budget Approval): If applicable	Date: 4/19/10
	Division Manager:	Date: 4/19/10
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

Jackson County Department of Corrections
MEMO



To: Barbara Casamento, Purchasing
CC: Kenneth Conlee, Director of Corrections
Date: 4/8/10
From: L.J. Scott, Mgr Jail Services
Subject: Review of Submissions for RFP Number 13-10, Inmate Telecommunication Management Services

Two bids were received and reviewed for this RFP, Praeses and Protocall, LLC. Reviews were completed by Ken Conlee, Director, and Laura Scott, Manager of Services.

Praeses is headquartered in Shreveport, LA, while Protocall, LLC., is located locally in Olathe, Kansas. The bids were reviewed with the cited evaluation criteria commanding the most attention. The evaluation is as follows:

Response to terms and conditions: 5 points

- 1) Praeses responded adequately to all cited terms and conditions of the RFP. **5 points**
- 2) Protocall, LLC does not address historical reconciliation, and appears to be a phone provider rather than a management consulting firm. **2 points**

Experience: 20 points

- 1) Praeses has worked specifically in consulting, management and reconciliation with numerous large County facilities and State DOC's over the past 10 years. **20 points**
- 2) Protocall LLC has worked with numerous small County facilities on phone, visitation and officer tracking system installation, and software training. The business is described as an inmate phone provider. Experience appears to be more technical than investigative. **10 points**

Qualifications of Managers: 20 Points

- 1) Qualifications of the Praeses Manager(s) appear to be adequate. **20 points**
- 2) Qualifications of the Protocall LLC Manager(s) appear to be adequate. **20 points**

Proposal Content: 25 Points

- 1) The proposal submitted by Praeses appears to cover all of the major requirements cited in the RFP. **25 Points**
- 2) The proposal submitted by Protocall LLC does not address historical reconciliation. Consulting services on the content and development of the RFP are more adequately described than other services. Related to measurement and actions Protocall states they will "inform users of points of contact for repair, tech support, [etc]" however JCDC

"users" have the expectation that the consultant will be the point of contact to manage these services. **15 Points**

Cost: 30 Points

- 1) Praeses charges a 10.47% rate of the total monies paid by the ITPS, and guarantees an increase on the average monthly net return or a payback that equals that average monthly net return after the first 18 months. The rate for historical reconciliation is 33 1/3%. **25 points**
- 2) Protocall LLC offers hourly rates which are not definable as there is no indication of the number of hours historical reconciliation and current services would require. They also offer a straight fee or percentage "whichever is greater" at a cost of \$143,000 for the first year (the greater as compared to 9%). This amount is approximately 60% of the current inmate phone commission. Protocall LLC will forego \$15,000 of the fee in the first year if commissions are not increased by 10%, however even with a 10% increase in commission the county would still lose money off the current commission. Year two and beyond \$60,000 is 25 % of the current inmate phone commission. **0 points**

Based on the review and subsequent evaluation, the Department of Corrections recommends that the County accept the proposal offered by Praeses.



PRICING

Praeses' fee for services rendered to Jackson County will be assessed as follows:

- A) A rate of **10.47%** of the total monies paid by Inmate Telecommunication Service Providers (ITSP) to Jackson County for any and all revenues generated by and through the inmate telephone system operated by the ITSP at the Jackson County facilities;
- B) A rate of **33 1/3%** of all historical reconciliation compensation paid to Jackson County. If no historical reconciliation is collected because Jackson County elects not to pursue identified compensation, then Jackson County will pay Praeses a rate of **15%** of the identified historical reconciliation compensation. Jackson County's pursuit of identified historical reconciliation compensation is defined as performance of reasonable business means.

Historical reconciliation compensation is defined as specific anomalies in revenue or revenue due Jackson County but not initially reported or paid by an ITSP, which results in compensation paid to Jackson County.

These fees will pay for the management services identified in the proposed Agreement. This will be the only compensation Praeses receives for servicing Jackson County's account. **Praeses shall not receive any additional fees from any ITSP, that are paid based on the revenue generated on the inmate telephones covered by the proposed Agreement.** The management fees described above will be deducted monthly by Praeses at the time of the delivery of the monthly reports.

GUARANTEE

Within the first 18 months of the Agreement with Praeses, Praeses guarantees that Jackson County will receive, at a minimum, its average monthly net return from inmate telephones for the 18 months prior to the effective date of the proposed Agreement. If Praeses fails to increase the average monthly net return to Jackson County enough to cover the Praeses management fee during the first 18 months of the agreement, Praeses will return, within 30 days and upon the request from Jackson County, the difference between the net monthly average revenue earned in the 18 months prior to the Agreement with Praeses and the net monthly average revenue earned during the 18 months with Praeses under the Agreement up to the total fees retained by Praeses. Jackson County will void the guarantee if Jackson County enters into an agreement with an ITSP for rate reductions that cause commission reductions that are beyond Praeses' control or takes any other action what will materially reduce inmate populations or inmate telephone revenue.