

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Resolution No.: 18660

Sponsor(s): Crystal Williams

Date: November 17, 2014

<p>SUBJECT</p>	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Awarding a Sixteen (16) Month Term and Supply Contract with Three Twelve Month Options to Extend for the furnishing of Electronic Monitoring Equipment for the Office of Population Control, Department of Corrections, to BI Monitoring of Boulder, Colorado under the Term and Conditions of the State of Missouri Contract No. C214038001, an existing government contract.</u></p>										
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1" data-bbox="321 569 1414 762"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td></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></td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td></td> </tr> <tr> <td>Source of funding (name of fund) and account code number:</td> <td></td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input checked="" type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Population Control Estimated Use: \$58,788.00</p> <p>Requesting approval by the Legislature of the term and supply contract; the funds were already appropriated through the annual budget adoption. Estimated use figures are for informational purposes only.</p> <p>Prior Year Budget (if applicable): \$128,064.00* Prior Year Actual Amount Spent (if applicable): \$50,000.00</p> <p>*\$128,064.00 was the original requested amount back in 2010 but due to several budget cuts the department only utilized \$50,000.00 in 2014</p>	Amount authorized by this legislation this fiscal year:		Amount previously authorized this fiscal year:		Total amount authorized after this legislative action:		Amount budgeted for this item * (including transfers):		Source of funding (name of fund) and account code number:	
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<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date): Prior resolutions and (date): 17227, April 2010</p>										
<p>CONTACT INFORMATION</p>	<p>RLA drafted by (name, title, & phone): Cassandra Cheek, Senior Buyer, 816-881-3265</p>										
<p>REQUEST SUMMARY</p>	<p>The office of Population Control, Department of Corrections, requires a contract for Electronic Monitoring Equipment that monitors individuals that are on house arrest awaiting trial. The office of Population Control uses this equipment for the House Arrest Program which is administered by the County. With this contract, Population Control will be able to lease upgraded equipment to include GPS monitoring and the Transdermal Alcohol Device (TAD) as part of the House Arrest Program, as well as lease the traditional equipment at a reduced cost under this contract.</p> <p>Pursuant to Section 1030.4 of the Jackson County Code, 1984, the Director of Finance and Purchasing recommends the award of a Sixteen Month Term and Supply Contract with Three Twelve Month Options to extend for the furnishing of Electronic Monitoring Equipment for the Office of Population Control to BI Monitoring of Boulder, Colorado under the Term and Conditions of the State of Missouri Contract No. C214038001, an existing government contract. The initial request for the sixteen months is so that the contract will run concurrently with the State's contract.</p> <p>The Director of Finance and Purchasing recommends the award be made under this contract due to the higher volume discounts offered to larger entities.</p> <p>This award is made on an "As Needed" basis and does not obligate Jackson county to pay any specific amount. The availability of funds for specific purchases is subject to annual appropriations.</p>										

CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input checked="" type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS	Memorandum from Amber Ledbetter, Population Control Coordinator and the pertinent pages of the State of Missouri Contract C214038001	
REVIEW	Department Director: <i>[Signature]</i>	Date: 11-5-14
	Finance (Budget Approval): <i>If applicable</i> <i>NA</i> <i>[Signature]</i>	Date: 11-7-14
	Division Manager: <i>[Signature]</i>	Date: 11-13-2014
	County Counselor's Office: <i>[Signature]</i>	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.

**OFFICE OF POPULATION CONTROL****Res. 18660**

JACKSON COUNTY COURTHOUSE
1305 LOCUST
KANSAS CITY, MISSOURI 64106

FAX: (816) 881-3891
Amber Ledbetter
Population Control Coordinator
(816) 881-3725
Amber J. Ledbetter

November 4, 2014

Memo To: Barbara J. Casamento, Purchasing Supervisor
Department of Finance Purchasing Section

Memo From: Amber J. Ledbetter
Population Control Coordinator
Jackson County Department of Corrections

Memo Re: Missouri Department of Corrections Contract
for Electronic Monitoring Equipment
Contract #C214038001

Jackson County has provided house arrest services for inmates awaiting trial for many years. Originally, the program was administered through the Jackson County Department of Corrections and all equipment was purchased and maintained by Jackson County. We found that equipment would often break down or disappear and we were frequently required to pay for expensive repairs or for replacement equipment. In 1997 we became aware of a contract for electronic monitoring equipment entered into by the Missouri Department of Corrections (MDC) with Behavioral Interventions, Inc. (BI), a company out of Boulder, Colorado. The equipment being offered was considerably less expensive, gave us access to a sophisticated data base, and under the terms of the contract we would not be required to pay for lost or damaged equipment.

In the first quarter of 1997, Jackson County was allowed to piggyback onto the contract entered into by MDC with BI which enable the Court to increase its capacity for house arrest clients from 40 clients to 75 clients. In March 2001 SBPP announced that it would cease administering the County's house arrest program effective July 1, 2001, and the Office of Population Control was designated to assume the duties of the program.

In the fall of 2010 we learned that MDC had entered into a new contract with BI for upgraded equipment to include GPS monitoring and the Transdermal Alcohol Device (TAD); and we realized that once again we could benefit from piggybacking onto this contract. By our continuing to piggyback off of MDC, we have continuously been able to use a reliable company for this program along with the equipment. Once again, by our doing this our rates have been reduced again (as seen below).

<u>Equipment</u>	<u>Cost today</u>	<u>Previous Cost</u>
Traditional house arrest equipment <i>Monitors the individuals comings/goings (requires a landline telephone)</i>	\$1.72 per day	\$1.79 per day
Sobriotor <i>Monitors the individuals alcohol consumption via breath tests (requires a landline telephone)</i>	\$2.15 per day	no reduction
Homeguard 206 <i>Cellular Unit monitors the individuals comings/goings via radio frequency w/ cellular</i>	\$4.24 per day	\$4.99 per day
TAD <i>Transdermal Alcohol Device monitors the individuals comings/goings as well as monitoring for alcohol consumption through the skin rather than breath</i>	\$7.05 per day	\$8.74 per day
GPS <i>Monitors the individuals via satellite (requires a landline telephone)</i>	\$4.35 per day	no reduction

We generally use the traditional house arrest equipment and the Sobriotor unit, however, in emergencies we will use the homeguard 206 (as a temporary fix), and use the TAD device only if an individual has medical problems to where they are unable to use the Sobriotor unit. The GPS equipment is only used if specifically ordered by the Court.

Additionally, should this request be approved, we will have access to state-of-art equipment that will allow us to build corridors in which a defendant may travel from point A to point B. The failure of a participant to follow the program correctly would be immediately reported to us as a violation.

We anticipate that if this request should be approved by the Jackson County Legislature, there would be no fiscal impact to the County. We would urge that this request be presented to the Jackson County Legislature as soon as possible. Not only will the County have real time knowledge of house arrest violations, but most importantly, Jackson County will be providing for the greater safety to the citizens of our community.

Thank you for your time.



Res. 18660

NOTICE OF AWARD

State Of Missouri
Office Of Administration
Division Of Purchasing And Materials Management
PO Box 809
Jefferson City, MO 65102-0809
<http://content.oa.mo.gov/purchasing-materials-management>

SOLICITATION NUMBER B2Z14038	CONTRACT TITLE Electronic Monitoring Services
CONTRACT NUMBER C214038001	CONTRACT PERIOD April 25, 2014 through April 24, 2016
REQUISITION NUMBER NR 931YYY1370873	VENDOR NUMBER 8407699260 0
CONTRACTOR NAME AND ADDRESS B.I. Incorporated 6400 Lookout Road Boulder, CO 80301	STATE AGENCY'S NAME AND ADDRESS Department of Corrections Board of Probation and Parole 3400 Knipp Drive Jefferson City, MO 65101
ACCEPTED BY THE STATE OF MISSOURI AS FOLLOWS: The proposal submitted by B.I. Incorporated in response to B2Z14038, including the letters and e-mails of clarification dated February 6, 2014, March 4, 2014, March 11, 2014, and April 3, 2014, is accepted in its entirety.	
BUYER John Stobbart	BUYER CONTACT INFORMATION Email: john.stobbart@oa.mo.gov Phone: (573) 751-3796 Fax: (573) 526-9816
SIGNATURE OF BUYER 	DATE 4/25/14
DIRECTOR OF PURCHASING AND MATERIALS MANAGEMENT 	

STATE OF MISSOURI



Jason Kander
Secretary of State

**CORPORATION DIVISION
CERTIFICATE OF GOOD STANDING**

I, JASON KANDER, Secretary of the State of Missouri, do hereby certify that the records in my office and in my care and custody reveal that

BI INCORPORATED

using in Missouri the name

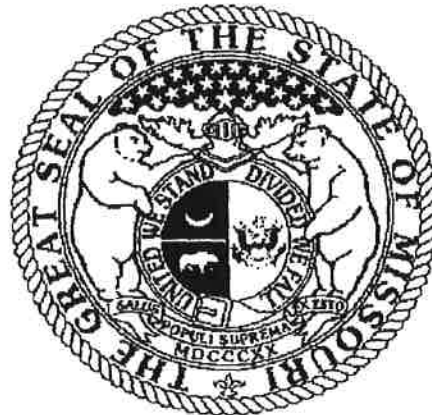
**BI INCORPORATED
F00544099**

a COLORADO entity was created under the laws of this State on the 15th day of September, 2003, and is in good standing, having fully complied with all requirements of this office.

IN TESTIMONY WHEREOF, I have set my hand and imprinted the GREAT SEAL of the State of Missouri, on this, the 6th day of February, 2014

A handwritten signature in cursive script, appearing to read "Jason Kander", is written over a horizontal line.

Secretary of State



Letter of Transmittal / Executive Summary

January 22, 2014

State of Missouri
Office of Administration
Division of Purchasing and Materials Management
301 West High Street, Room 630
Post Office Box 809
Jefferson City, Missouri 65102-0809

Attn: John Stobbart

Re: Electronic Monitoring Services RFP B2Z14038
Due January 24, 2014

Dear Mr. Stobbart:

Thank you very much for the opportunity to continue to provide services to the State of Missouri in accordance with the aforementioned solicitation. BI has thoroughly reviewed all solicitation documents, provisions, attachments, and amendments; we meet or exceed all requirements outlined in the RFP.

BI is the incumbent provider of electronic monitoring equipment and services, and BI has a thorough understanding of the State's existing program and future objectives. With the re-award by the State for a new contract term, BI is confident in our ability to consistently meet and exceed the agency's requirements and expectations.

- **Evidence of a Successful Partnership.** BI understands the underlying goals of the State's electronic monitoring program. This partnership allows the State to develop and implement best practices and innovations that can directly contribute to the Department of Correction's success. The State's Funding Utilization History report illustrates that during the past contract term, the agency has:
 - Increased successful completion when BI took over the contract in 2010, and these rates remain significantly higher than previous contract holder
 - Budgeted a successful completion rate of 90% for the next contract period, a 26% increase from 2008 completion rates

BENEFIT: BI's proven partnership with Missouri and providing a continuum of software, services and products ensures a low risk solution to the State.

- **High Familiarity with the Missouri Electronic Monitoring Services Program.** BI has maintained a successful partnership with the agency since 2010. This partnership has been built on the reliability of BI's product offering and expert support from BI's in-state personnel. Our relationship with the State is strengthened by continual communication with officers, administrators, and Missouri DOC leadership. BI's in-state Program Manager, Business Development team, and experienced installers regularly review programmatic challenges including reporting processes, equipment needs, and training curricula.

BENEFIT: BI has a thorough understanding of Missouri's protocols, objectives, and challenges. The agency will benefit from continuing a long term partnership with a vendor who has a demonstrated record of reliability and responsiveness.

BENEFIT: BI has proven that our continuum of reliable equipment, easy to use software application, and around the clock support are critical to the State's electronic monitoring program.

- **Support from a Single Source.** All products offered within this proposal do not rely on third parties, increasing transparency and accountability. The State is supported by our experienced, in-house operations: from invoicing and administrative support, to an established installer network and program

management. BI is uniquely positioned to partner with the State to meet evolving monitoring program requirements.

BENEFIT: We are a proven entity that has the foundational infrastructure to ensure all electronic monitoring requests and concerns are resolved quickly and efficiently.

- **Small Business Participation.** BI is committed to providing opportunities for small, disadvantaged, minority owned, and women owned businesses. BI's has continued to identify small businesses in Missouri communities to partner with in order to meet the State's MBE, WBE, SDVE, and Organization for the Blind/Sheltered Workshop goals.

BENEFIT: By expanding and fortifying our supplier base in this manner, BI continually enhances the value of our products and services, and Missouri communities benefit from the success of our small business relationships.

In compliance with RFP Section 2.1.7.b, BI agrees that in the event of conflict between any of BI's responses and the RFP requirements, terms and conditions, the RFP shall govern.

Due to cost reductions in components, manufacturing processes etc., BI's proposal demonstrates a year-on-year cost savings to the State while maintaining the same level of services, and including integration requirements with the State's software systems.

BI looks forward to continuing a successful partnership with the State though the solution proposed herein. We are confident that our expertise and performance will continue to help the State meet its goals and objectives.

Should you require any clarification regarding this proposal, please do not hesitate to contact me.

Respectfully,



Jeff Rivas
Business Development Director
314.392.9960 (office)
314.330.8734 (cell)
Jeff.Rivas@bi.com

Exhibit A: Pricing Page (Cost Proposal)

A.1 Required Pricing: The offeror shall state the firm, fixed price to provide all services necessary to operate an electronic monitoring system in accordance with the minimum mandatory requirements stated herein.

Description	Estimated Quantities	Firm, Fixed Price
Radio Frequency Monitoring Without Cellular	146,000	<u>\$1.72</u> Firm, Fixed Price Per Monitoring Day, per offender.
Radio Frequency Monitoring With Cellular	36,500	<u>\$4.24</u> Firm, Fixed Price Per Monitoring Day, per offender.
Voice Verification/ Identification	9,000	<u>\$1.56</u> Firm, Fixed Price Per Monitoring Day, Per Offender, minimum of four calls.
Alcohol Monitoring for on-demand	38,325	<u>\$2.15</u> Firm, Fixed Price Per Monitoring Day, Per Offender
Alcohol Monitoring for continuous	52,925	<u>\$7.05</u> Firm, Fixed Price Per Monitoring Day, Per Offender
Passive GPS Monitoring	36,500	<u>\$4.05</u> Firm, Fixed Incremental cost per monitoring day, per offender, over and above the offeror's firm, fixed price per monitoring day, per offender for a radio frequency monitoring system.
Active GPS Monitoring	73,000	<u>\$4.35</u> Firm, fixed incremental cost per monitoring day, per offender, over and above the offeror's firm, fixed price per monitoring day, per offender for a radio frequency monitoring system.
Expert Witness Testimony	50 Hours	<u>\$0.00</u> Firm, Fixed Price Per Hour

**Red text indicates revisions made per Amendment 2, issued January 13, 2014*

A.2 Renewal Option:

The Division of Purchasing and Materials Management shall have the sole option to renew the contract in one (1) year increments, or a portion thereof, for a maximum total of three (3) additional years.

The offeror must indicate below the maximum allowable percentage of price increase or guaranteed minimum percentage of price decrease applicable to the renewal option years. If a percentage is not proposed (i.e. left blank, page not returned, etc.), the state shall have the right to execute the option at the same price(s) proposed for the original contract period. Statements such as "a percentage of the then-current price" or "consumer price index" are NOT ACCEPTABLE.

All increases or decreases shall be calculated against the ORIGINAL contract price, NOT against the previous year's price. A CUMULATIVE CALCULATION SHALL NOT BE UTILIZED.

The percentages indicated below shall be used in the cost evaluation to determine the potential maximum financial liability to the State of Missouri.

NOTICE: DO NOT COMPLETE BOTH A MAXIMUM INCREASE AND A MINIMUM DECREASE FOR THE SAME RENEWAL PERIOD.

	<u>Maximum Increase</u>		<u>Minimum Decrease</u>
1st Renewal Period:	original price + <u>0</u> %	OR	original price - _____%
2nd Renewal Period:	original price + <u>0</u> %	OR	original price - _____%
3rd Renewal Period:	original price + <u>0</u> %	OR	original price - _____%