

EL DORADO COUNTY SHERIFF'S OFFICE
SHERIFF JOHN D'AGOSTINI

MEMORANDUM

TO: Don Ashton
FROM: Phil Dold
SUBJECT: Contract 714-so811 Amendment III
DATE: May 13, 2011



The purpose of this memo is the document responses to concerns raised by County Counsel pertaining to Amendment III of contract 714-SO811, by Judith Kurr dated 5/11/11.

1. "Are the design specifications yet to be determined?" No. A working prototype was presented to the department for review and evaluation. These features were specified during Phase I of the project completed earlier.
2. "I recommend that you attach and incorporate specific scope of services related to Design Specification Feature set." Amendment III specifically outlines 6 functional specifications that must be designed, tested and implemented in production as measurable performance criteria. These 6 functions are listed under the section titled "Scope of Phase II" in this amendment.
3. "Clarify whether the costs identified in Article V are one time only costs or annual costs." The costs are one time only. Item #4 in the cost section indicates that annual maintenance is included until June 30, 2013. At that time the main contract will have expired and annual maintenance for all Tracnet products will have to be renegotiated and a new contract signed. It will be incorporated in that new agreement then.
4. "See notes to contract approval 9/4/10 – comments are incorporated herein" Comments on 9/14/10 state: "Contract increasing price by \$25,000 because dept is adding software to existing Tracnet contract that was previously approved by Board in 1996, 1999, 2002, 2003, 2005, 2008, 2009, legal problems in contract are outlined in memos from this office dated Sept 16, 1999 and should be reviewed by Co. purchasing agent." County had issues with the original TracNet contract from the earliest date. As I understand it the concerns related to

indemnification and similar liability limitations. The contract was taken to BOS and approved not withstanding the legal weaknesses. TracNet would not perform services without County agreement with the contract. TracNet has an excellent performance record with the County extending back to 1996. This Amendment III has measurable milestones with contingent payments associated with each. The financial exposure to the County is minimal when compared to the past track record of the vendor and the proposed feature benefits.