

AGREEMENT FOR SERVICES #329-S1211
AMENDMENT I

This Amendment I to that Agreement for Services #329-S1211, made and entered into by and between the County of El Dorado, a political subdivision of the State of California (hereinafter referred to as "County"), and Lexipol, LLC., a California Limited Liability Corporation, duly qualified to conduct business in the State of California, whose principal place of business is 6B Liberty, Suite 200, Aliso Viejo, CA 92656; (hereinafter referred to as "Consultant");

RECITALS

WHEREAS, Consultant has been engaged by County to provide updates to the Department Policy Manual developed by Consultant for the El Dorado County Sheriff's Office, in accordance with Agreement for Services #329-S1211, dated January 31, 2012, incorporated herein and made by reference a part hereof; and

WHEREAS, the parties hereto have mutually agreed to expand the scope of the Agreement, hereby amending Article I Scope of Services; and

WHEREAS, the parties hereto have mutually agreed to amend the term of the Agreement, hereby amending Article II Term; and

WHEREAS, the parties hereto have mutually agreed to amend Article III Compensation for Services;

NOW THEREFORE, the parties do hereby agree that Agreement for Services #329-S1211 shall be amended a first time as follows:

ARTICLE I Scope of Services: Consultant agrees to 12 month update service to the Department Policy Manual previously developed by the Consultant specifically for the Sheriff's Office, and an additional 12 month subscription and development of a Custody Manual in accordance with Exhibit A, incorporated herein and made by reference a part hereof. Services shall include:

- 1) Urgent updates to change policy as a result of precedent setting court decisions, urgent legislation, or extraordinary incidents in the field;
- 2) Changes and updates the Sheriff's Office wishes to make through the year, and
- 3) Consultants recommended changes and updates developed over the 12 month period through case law, legislation, legal experience and the Sheriff's Office input.
- 4) Development tools and policy updates – proprietary software which allows efficient and accurate generation of a draft version of the manual from an online questionnaire

All updates are to be sent to the Sheriff's Office electronically, for review, changes if necessary and finalization.

ARTICLE II

TERM: This Agreement shall become effective upon final execution of both parties hereto and shall cover the period of February 1, 2012 through December 31, 2016.

ARTICLE III

Compensation for Services: For services provided herein, County agrees to pay Consultant the lump sum of the annual fee in advance. For the purposes of this Agreement, the billing rate shall be as follows:

- For the period of February 1, 2012 through January 31, 2013, County agrees to pay consultant the sum of \$4,500.00 no later than February 28, 2012.
- For the period of February 1, 2013, through January 31, 2014, County agrees to pay consultant the sum of \$4,500.00 no later than February 28, 2013.
- For the period of February 1, 2014, through January 31, 2015, County agrees to pay consultant the sum of \$4,500.00 no later than February 28, 2014.


For the purposes of this Amendment I, the billing rate shall in accordance with Exhibit A, incorporated herein and made by reference a part hereof as follows:

- For the period January 1, 2014 through December 31, 2014, County agrees to pay the consultant the sum of \$11,963.00 no later than January 31, 2014.
- For the period January 1, 2015 through December 31, 2015, County agrees to pay the consultant the sum of \$4,268.00 no later than January 31, 2015.
- For the period January 1, 2016 through December 31, 2016, County agrees to pay the consultant the sum of \$4,268.00 no later than January 31, 2016.


The total amount of this Agreement, as amended, shall not exceed \$33,999.00 for the five (5) year period.

Except as herein amended, all other parts and sections of that Agreement #329-S1211 shall remain unchanged and in full force and effect.

Requesting Contract Administrator Concurrence:

By:  _____
Robert Ashworth
Captain
Sheriff's Office

Dated: 12/18/13

By:  _____
Randy Peshon
Captain
Sheriff's Office

Dated: 12-20-13

Requesting Department Head Concurrence:

By:  _____
John D. Agostini
Sheriff
Sheriff's Office

Dated: 12/20/13

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to that Agreement for Services #329-S1211 on the dates indicated below.

-- COUNTY OF EL DORADO --

Dated: _____

By: _____

Chair
Board of Supervisors
"County"

ATTEST:
James S. Mitrisin
Clerk of the Board of Supervisors

By: _____
Deputy Clerk

Dated: _____

-- CONSULTANT --

LEXIPOL, LLC
A CALIFORNIA LIMITED LIABILITY CORPORATION

By: _____
Name
Title
"Consultant"

Dated: _____

(td)

(#329-S1211)

EXHIBIT "A"



Lexipol

Predictable is Preventable®

PROPOSAL FOR
EL DORADO COUNTY SHERIFF'S OFFICE
PLACERVILLE, CA

CUSTODY POLICY MANUAL &
DAILY TRAINING BULLETIN SERVICES

October 16th, 2013

Lexipol, LLC
6B Liberty, Suite 200
Aliso Viejo, California 92656
949-484-4444
www.lexipol.com

John Fitisemanu, Client Services Representative
Ph: (949) 276-9935 Email: jfitisemanu@lexipol.com



Tania Donnelly <donnellt@edso.org>

FW: Lexipol Custody Manual

1 message

Peter Roth <proth@lexipol.com>
 To: "donnellt@edso.org" <donnellt@edso.org>
 Cc: John Fitiseanu <jfitiseanu@lexipol.com>

Tue, Nov 19, 2013 at 6:52 PM

Tania,

Per our discussion last week, the pricing in the original email below will be discounted by an additional 10% in return for El Dorado County making a 3 year commitment to the Lexipol Custody Manual service. This results in the following effective pricing:

- 1st Year Subscription Fee - \$11,963 (one-time fee that includes all development tools and policy updates).
- Annual Update Fee - \$4,268 (billed beginning year 2 – includes all web-based tools, forum, and policy updates)
- Daily Training Bulletin Fee - \$9,338 (billed beginning year 2 – includes 240 unique scenario-based exercises)

Please let me or John know if you have questions or need further information.

Sheriff's Office declines this service.
Tania Donnelly
12/10/13

Thank you again for your interest in Lexipol!

Best regards,

Peter

Peter Roth

Executive Vice President

Chief Customer Officer

Lexipol, LLC

Direct: 949.732.5744



Predictable is Preventable®

October 16th, 2013

John Eslick
Lieutenant
El Dorado County Sheriff's Office
300 Fair Ln
Placerville, CA 95667-4102

Lt. John Eslick,

Lexipol appreciates the opportunity to propose our Custody Policy Manual and Daily Training Bulletin service to the **El Dorado County Sheriff's Office**, for your custody facility. Our goal is to help our clients successfully face the evolving challenges in the world of public safety. Lexipol provides clear benefits in terms of managing, disseminating and archiving your agency's policies and training records. Agencies that adopt our policy subscription service have clear, effective policy manuals that reflect the true values and policing philosophy of their agency.

Lexipol offers the most comprehensive solution for managing policy and procedure in law enforcement agencies. We are often recognized for our proactive approach in decreasing liability exposure backed by Lexipol's technical and legal expertise. The Lexipol system has helped public safety agencies reduce risk and stay ahead of litigation trends, while communicating clear and concise policy guidance to their employees.

Policy Manual Development: Lexipol has created policy content that is specific to federal and state law. This "master" content can then be customized by the **El Dorado County Sheriff's Office**. Your agency is prompted through interactive online software to develop Policy Manuals standardized with regulatory requirements yet customized to the agency's unique mission, philosophy and resource availability. The proprietary software allows efficient and accurate generation of a draft version of the manual from an online questionnaire.

Daily Training Bulletin Component: The training component consists of Lexipol's Daily Training Bulletins (20 DTBs per month). These give the **El Dorado County Sheriff's Office** the ability to train and test employees on its policies and procedures. The DTBs consist of a brief scenario illustrating realistic circumstances officers typically encounter. Each scenario is linked to a policy, which puts the policy in an operational context and helps sworn personnel understand why the policy exists and how it applies to their daily tasks. The DTB system includes a brief test, which the officer must pass to be credited with the DTB training. The **El**

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Dorado County Sheriff's Office will receive DTB packages (via email) monthly, with each bulletin linked to a current policy. Your Department staff will also have the ability to create their own customized DTBs in the Lexipol system as they identify areas that require additional training.

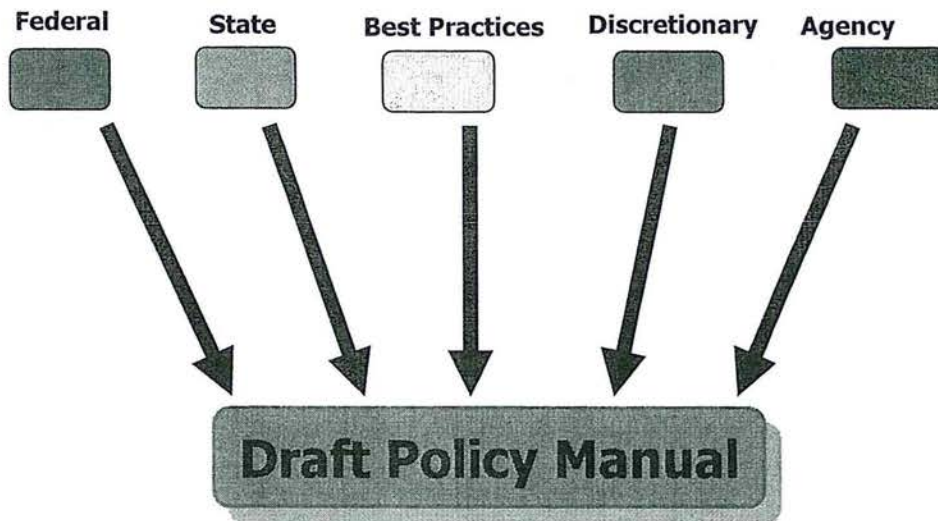
Lexipol's DTB training component allows the **El Dorado County Sheriff's Office** to track its training by officer, topic or policy. This information is archived electronically and can be produced immediately for current reports, or retrieved years later, thereby providing significant litigation and administrative support.

Unique Qualifications: Lexipol has established a unique set of risk management tools for law enforcement agencies by integrating agency-specific, customized policy manuals with the Daily Training Bulletin service. The Lexipol policy and training system has helped public safety agencies throughout your state, and the country, reduce risk and stay ahead of litigation trends, while at the same time communicating clear and concise policy guidance to their employees.

Proprietary System and Tools: More than **160** core policies based on federal standards and state statutes and case law, regulatory actions, and law enforcement best practices are available with our intuitive tool set. Your agency has full editing capability to customize the manual to reflect your agency's mission and philosophy. Our color-coded key reflects the origin of the content and its relative importance. The final product, which is not color-coded, is a professional, well organized, easy-to-read manual online in Lexipol's Knowledge Management System and in hard copy. **There is no other system in the nation that incorporates all of these features at affordable annual subscription rates.**

Share

Unique



Updates: Lexipol provides regular updates in response to legislative mandates, case law and evolution in best practices. We also provide client alerts in response to precedent-setting court decisions or events that call for immediate changes to policy. **These updates would be customized for the El Dorado County Sheriff's Office and your mission.**

Adaptability: Our clients range from one to 2,500 sworn personnel and include municipal police departments, county sheriff offices, county district attorney offices, port police, probation departments, school district and university police, tribal police, state regulatory and law enforcement agencies, federal agencies and military agencies.

Scale: Over 1,500 public safety organizations representing more than 86,000 law enforcement and fire personnel in 15 states use the Lexipol system. Our subscriber base is one of the largest private networks of public safety policy collaborators in the nation.

Archiving: Each version of your manual is archived on the Lexipol system. This is an invaluable resource in defense litigation or personnel matters that call for authenticated copies of policy or training records years after an incident.

Cost Effective Development: A fully burdened officer can cost an agency upward of \$100K in salary and benefits. Most small to mid-sized agencies assign one officer to update and maintain their policy manual, which can consume 50% to 80% of the officer's time.

A typical officer does not have the experience or resources to translate statutes, case law and emerging trends into usable, defensible policy in patrol, investigations, traffic, property, custody or personnel. At Lexipol we proactively do this work for you, typically at less than 5% of the cost of an officer.

Ready Access: Many agencies describe their pre-Lexipol policy system as convoluted, reactive and not serving the agency well. Their employees have trouble accessing the policy system because the documents are contained in disparate silos of information.

Policy Training: The integrated Daily Training Bulletin component is a customized, scenario-based daily training program that links directly to the policy manuals. The Daily Training Bulletin program is standardized, verifiable, realistic, ongoing training that links directly to your policy manual. Archiving of training records provides verifiable evidence of achieving specific learning objects.

Lexipol is uniquely qualified to provide our Policy Manual and Daily Training Bulletin service to the **El Dorado County Sheriff's Office**. For the past 10 years, we have created proven, court-tested law enforcement policy. Actuarial data shows Lexipol's unique, cost-effective policy and training system reduces the numbers of claims and claims paid – typically by 69% over previous years. We have a 100% defense record of our policies in courtrooms across America.

In addition, Lexipol provides a highly cost-effective model and powerful, easy-to-use web-based tools that support your agencies and provide:

- Policies and procedures that reflect up-to-date, applicable industry standards and best practices;
- Customized content for the **El Dorado County Sheriff's Office**;
- Daily scenario-based training that reinforces your approved policies and procedures;
- Regular updates to your policies and procedures as statutes, case law, and regulations change;

Lexipol is America's leading source of risk management resources for public safety organizations, delivering its services through a unique, web-based development system and an integrated training component.

Accreditation and DOC Inspection Reference Features: The Lexipol system is an excellent complement to those agencies seeking to streamline their jail inspection process and/or to obtain or maintain accreditation. Lexipol master content addresses the vast majority of these requirements and the referencing tool allows the agency to identify specific sections and subsections of policy that meet a requirement.

The Accreditation and DOC Inspection Reference features allow mapping specific standard requirements within Lexipol policy sections and subsections. Agencies seeking to meet these requirements simply request that we activate the appropriate feature, and are then able to add any standard reference that applies to any section of policy. When used in conjunction with Lexipol's easy-to-use editing tools, agencies can update policies to meet standards at their discretion.

These unique features allow reports to be quickly and accurately created which reflect what specific requirements are met in policy, and where each requirement is met.

Training Support: The **El Dorado County Sheriff's Office** policy administrators may attend any and all online training sessions (which can be repeated as many times as necessary): 1) Knowledge Management System (KMS) Training – which is your portal for policy editing and development and 2) Project Management session – which will introduce your Policy Manager to the Lexipol Electronic Client Toolkit (ECT) and the Project Management Guide (PMG).

Our Project Management Guide and Electronic Toolkit are included in the Lexipol subscription fee, and will aid your agency in completing your manual in a timely fashion. Our Project Management Guide provides tips and guidelines on how to achieve this goal. The Electronic Toolkit contains a couple of "best practices" examples that may give your agency some ideas as to how others have implemented the manual.

Our Program Development and Customer Service teams are also available throughout the development process to provide guidance and answer questions.

Lexipol History

Lexipol was founded in 2003 by merging Bruce Praet's acclaimed policy manual work with Gordon Graham's innovative "Five Pillars of Success" approach to risk management.

Today, Lexipol is comprised of an all-star team of public safety veterans. Former executives of law enforcement and fire services lead the major divisions of the company. In fact, the majority of all Lexipol employees are former or active duty public safety members.

This confluence of real world experiences in the areas of law, public service, and business gave rise to Lexipol's unique system of risk management tools. Lexipol has become America's leading source of risk management resources for public safety organizations. We currently serve over 1,500 public safety organizations in 15 other states. We train more than 86,000 law enforcement and fire personnel every day.