

**EL DORADO COUNTY PROBATION DEPARTMENT  
M E M O R A N D U M**

**TO:** Board of Supervisors

**CC:** Tiffany Schmid, Chief Administrative Officer

**FROM:** Nikki Moeszinger, Chief Fiscal Officer  
Brian J. Richart, Chief Probation Officer

**DATE:** June 20, 2023

**RE:** Retroactive Agreement #7784 SCRAM of California, Item 23-0930, Board of Supervisors Date July 18, 2023

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The purpose of this memorandum is to provide a detailed timeline with justification as to the retroactive nature of Agreement for Services #7784 (Agreement) with SCRAM of California (SCRAM).

Probation has been utilizing SCRAM of California (SCRAM) since 2015 for the Electronic Monitoring Program (EMP) services. Since 2015, Probation has utilized National Association of State Procurement Officials (NASPO) ValuePoint Cooperative Purchasing Organization Master Agreements.

Contract #4371 with SCRAM expired on May 31, 2023. For this expired contract SCRAM used the National Association of State Procurement Officials (NASPO) ValuePoint Cooperative Purchasing Organization Master Agreement #00212, which also expired on May 31, 2023.

County Procurement and Contracts contacted NASPO in September of 2022 regarding establishment of another set of cooperative contracts for electronic monitoring services. Probation's intention was to leverage an awarded NASPO Master Agreement. On May 12, 2023, Probation was notified by NASPO that awards for electronic monitoring services would be awarded one entity at a time, with award dates still unknown. In communication with Procurement & Contracts it was suggested, and approved by Procurement & Contracts, in the interest of time, that Probation contract directly with SCRAM under the Procurement Policy exemption Section 3.4(2)(f) "the procurement is for goods where the continuity of providers will provide efficiency or critical knowledge, and other providers of the goods cannot provide similar efficiencies or critical knowledge." Probation began working on this new retroactive agreement #7784 with SCRAM on May 15, 2023. Board approval was scheduled as soon as practicable after that date.

Thank you for your consideration.



Brian J. Richart, Chief Probation Officer