



## Legislation Text

---

**File #:** 19-0571, **Version:** 1

---

Sheriff's Office recommending the Board approve and authorize the Chair to sign Amendment II to the perpetual Agreement 875-S0911 (FENIX 1026) with Keefe Commissary Network, LLC, an affiliate of The Keefe Group, to do the following:

- 1) Replace Section 6. Menu in Agreement 875-S0911 Amendment I;
- 2) Amend Section 8. Term & Termination to revise the contract term from perpetual to month-to-month beginning April 30, 2019 until either party cancels in writing 30 days prior to the date of termination; and
- 3) Amend Notice to Parties and County Officer responsible for administering the contract to update the information.

**FUNDING:** Inmate Welfare Trust Account.

### **DISCUSSION / BACKGROUND**

Since September 1, 2000, Keefe Commissary Network has provided personnel, materials and services necessary to implement a commissary network program to facilitate the ordering of commissary supplies by inmates of the Placerville and South Lake Tahoe Jails.

On September 15, 2009, the Board approved perpetual Agreement # 875-S0911 to obtain commissary services from Keefe for both jails allowing inmates to purchase sundries and food items using their own funds which are held in the Inmate Welfare Trust Account. The term of the agreement was from April 30, 2009 to April 29, 2014 with an automatic renewal for successive one-year terms thereafter, unless either party to the Agreement gives notice in writing to the other party 30 days prior to the expiration of any term or extended term. On February 23, 2010, Amendment I was signed to provide better auditing capability by clarifying language contained in the Agreement.

Perpetual Agreement # 875-S0911 has continued for the successive one-year terms beginning on April 30, 2014, and is now being amended a second time to revert to a month-to-month Agreement to give more flexibility to the County to adjust or cancel if new technology or a new vendor is able to provide these same services more efficiently or more cost effectively in the future.

The Board is being requested to sign this Amendment II revising the Agreement from a perpetual term to a month-to-month contract, thereby removing the requirement for future annual approvals by the Board.

Additionally, Section 6 Menu is being replaced in its entirety to clarify the handling of changes in pricing, and Notice to Parties is being amended to update the contact information.

### **ALTERNATIVES**

N/A

### **PRIOR BOARD ACTION**

On April 29, 2008, Legistar Item # 08-0487, Agreement # 498-S0811 was approved for commissary

services from Keefe for a one-year term from April 29, 2008 to April 28, 2009. On September 15, 2009, Legistar Item # 09-1096, Agreement # 875-S0911 was approved establishing an initial five-year term from April 30, 2009 through April 29, 2014, and thereafter perpetual terms annually renewed by the Board. On February 23, 2010, Legistar Item # 09-1096, Amendment I to Agreement # 875-S0911 was signed to clarify language in the Agreement.

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel approved this Amendment II.

**CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

**FINANCIAL IMPACT**

No impact to Net County Cost. The funds for the Agreement are from the Inmate Welfare Trust Account

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

Please return one fully executed original to the Sheriff's Office for distribution

**STRATEGIC PLAN COMPONENT**

Public Safety

**CONTACT**

Undersheriff Randy Peshon