



**BOARD OF SUPERVISORS
AGENDA LETTER**

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

2018 AUG 16 AM 11:35

COUNTY OF SANTA BARBARA
CLERK OF THE BOARD OF SUPERVISORS

Department Name: Sheriff
Department No.: 032
For Agenda Of: August 28, 2018
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

18-00686

TO: Board of Supervisors

FROM: Department Bill Brown, Sheriff-Coroner (ext. 4290) *BB*
Director(s)
Contact Info: Ryan Sullivan, Custody Lieutenant (Ext. 4199)

SUBJECT: Sheriff's Office Inmate Communication Services Contract

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form:

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Chair to execute an Agreement with Telmate LLC to provide inmate communication services at Sheriff's Office facilities for the period effective from September 1, 2018 through August 31, 2021, with the option to renew for two one-year extensions or on a month to month basis (not to exceed 12 months).
- b) Determine that the recommended actions do not constitute a "Project" within the meaning of the California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(5) of the CEQA guidelines, because the actions consist of organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

Summary Text:

The Sheriff's Office completed a competitive bid process to select an inmate communications services vendor in June 2018. As a result of this competitive bid process, Telmate, LLC was selected as the new vendor for inmate communications for the period effective from September 1, 2018 through August 31, 2021, with the option to renew for two one-year extensions or renew on a month to month basis (not to exceed 12 months).

Background:

The Sheriff's Office has contracted with multiple different vendors for inmate communication services for several years. Traditionally, inmate communication services has solely included inmate telephone services. Technological advancements have changed the inmate telephone communication landscape and many vendors now offer inmate tablets and/or kiosks that allow inmates to communicate with friends and families as well as staff and also access resources, education, and entertainment, which enhances quality of life for inmates within correctional facilities.

The Sheriff's Office currently has a contract with another vendor (Inmate Calling Solutions, LLC) for existing inmate communication services that will end on February 2, 2019. Due to construction of a new correctional facility (the Northern Branch Jail) within the county, the new vendor (Telmate, LLC) will be required to begin installation of communications equipment and infrastructure prior to the end of the current contract with Inmate Calling Solutions, LLC. Therefore, the Sheriff's Office initiated this contract with Telmate, LLC to begin in September 2018 at the Northern Branch Jail, with the plan of Telmate, LLC commencing services at the Main Jail in February 2019, following the expiration of the contract with the current vendor.

Vendors contracted for inmate communication services are responsible for providing all equipment, wiring and installation labor to allow inmates to communicate with friends and families via the use of telephones and/or tablets. The vendor collects revenue from the sales of telephone calls or entertainment purchases. The Sheriff's Office receives a commission on the sales incurred, which is deposited into the Inmate Welfare Fund (Fund 0075). The money deposited into the Inmate Welfare Fund must be expended by the Sheriff's Office primarily for the benefit, education and welfare of the inmates confined within the jail, pursuant to California Penal Code §4025(e).

Telmate, LLC, a wholly owned subsidiary of GTL, is a U.S. based inmate communications provider founded in 1998 that offers a suite of products and services to facilitate appropriate inmate communications. Telmate has offered inmate telephone services since 2005, onsite and remote video visitation since 2011 and inmate tablets since 2013. Telmate has offices in Los Angeles and Ontario, California and is headquartered in San Francisco, California.

In March 2018, the Sheriff's Office, in coordination with our inmate communication services consultant, Praeses, LLC, distributed a Request for Proposal (RFP) for qualified, experienced vendors who could provide reliable, cost effective inmate communication services.

Four vendors submitted responses to the RFP. Each of the proposals were evaluated by an evaluation team made up of Sheriff's Office managers. Potential vendors were scored in several areas, including, but not limited to: their offerings of core technologies (inmate telephone systems, video visitation systems, tablets, etc.); financial transparency; service; overall compliance with the RFP conditions; and cost proposal.

Following this evaluation, the evaluation team selected Telmate as the company who they believed would provide the best equipment, service and value to the Sheriff's Office and the inmate population incarcerated in Sheriff's Office facilities.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Revenue:</u>	<u>Annualized On-going Revenue:</u>
General Fund		
State		
Federal		
Fees		
Other:	\$ 340,000.00	\$ 575,000.00
Total	\$ 340,000.00	\$ 575,000.00

Narrative:

The vendor has agreed to pay 72% revenue share to the county on gross revenue generated by and through the Inmate Telephone System. The contract has a minimum annual guarantee of \$500,000 of revenue to the Inmate Welfare Fund. The contract also includes an upfront supplemental payment in the amount of \$100,000, payable within 5 days of the date of execution of this agreement. All inmate telephone calling rates will remain unchanged.

Inmates and/or their friends and family members may purchase services directly from the vendor for telephone and/or entertainment services. Inmates may also purchase services through the contracted commissary provider. Inmates within the county jail have an institutional account in which money can be deposited under their name to purchase services. Payments made from individual inmates is transferred from the inmates' institutional account to the vendor by the Sheriff's Office. In accordance with California Penal Code Section 4025(d), the Sheriff's Office Inmate Welfare Fund reconciles with the vendor monthly and records their portion of revenue (72%). Due to the fact that money is transferred from the Sheriff's Office to the vendor directly to cover the vendors portion of the revenue share (28%), this contract was set an amount not to exceed \$2,000,000.00 over the course of the five year (if extended) contract. As this is a revenue contract, the total costs of the contract will not exceed the revenue collected by the Sheriff's Office. It is estimated that the Sheriff's Office will receive approximately \$575,000.00 in annual revenue to the Inmate Welfare Fund as a result of this contract. The money and property deposited in the inmate welfare fund shall be expended by the sheriff primarily for the benefit, education and welfare of the inmates confined within the jail.

Key Contract Risks:

As this contract is primarily a revenue contract, the consequences of contract failure would be that the Sheriff's Office would have to terminate the contract and select another vendor for inmate communications services. The agreement contains the County's standard termination clause and suspension for convenience clause. The vendor has conducted business for twenty years and is a large vendor in the inmate communications services industry.

Special Instructions:

Clerk of the Board: Please send two executed original copies of the Inmate Communication Services Agreement to Lt. Ryan Sullivan, Sheriff's Office.

Attachments:

- 1) Three original copies of Inmate Communication Services Agreement (15 pages).
- 2) Attachment 1 to Inmate Communication Services Agreement – Mandatory Requirements (56 pages).
- 3) Inmate Telephone Services Agreement with Inmate Calling Solutions, Inc. 2016 (35 pages).
- 4) Board Contract Summary (1 page).

Authored by:

Ryan Sullivan, Custody Lieutenant – Santa Barbara County Sheriff's Office