



Agenda Item Summary: Item #10-0206

BOC Meeting Date
February 3, 2010

Commission Districts Affected
ALL

Requesting Agency
Sheriff's Office

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval for award of contract without competition – **Sheriff's Office**, in the amount of \$112,326.05 with NEC Corporation (Rancho Cordova, Sacramento, CA) to provide maintenance of the automated fingerprint identification system including software and hardware for one year upon execution of contract. Effective date: March 31, 2010 through March 30, 2011.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with Fulton County Purchasing Code Section 2-319, after conducting a good faith review, and the Purchasing Department has determined there is only one source available for the required supply, service, or construction item, the request shall be forwarded to the Board of Commissioners for approval.

Is this Item Goal Related? *(If yes, describe how this action meets the specific Board Focus Area or Goal)*

Yes No

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

The Fulton County Sheriff's Office requests approval for award of contract without competition with NEC Corporation to provide maintenance of the automated fingerprint identification system. This system is used for identification, booking, release, classification, warrants, criminal histories and background checks for inmates entering the Fulton County Jail, in addition to assisting jail staff with the intake and release processes for inmates. This system was installed as a result of the Harper Consent Decree.

Fiscal Impact / Funding Source

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

100-330-3302-1114 (General, Sheriff's Office, Cont-Package Support) \$112,326.05

Exhibits Attached

(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- Exhibit 1: Sole Source Letter - Department
- Exhibit 2: Sole Source Justification
- Exhibit 3: Performance Report

Source of Additional Information

(Type Name, Title, Agency and Phone)

Natalie Allison, Chief of Administration, Sheriff's Office, (404) 612-6598

Agency Director Approval		County Manager's Approval
Typed Name and Title	Phone	
Cecil S. Moore, Director	404-612-5800	
Signature	Date	
	1-25-10	



FULTON COUNTY BOARD OF COMMISSIONERS

Agenda Approval & Routing Form

Contract Attached: Yes	Previous Contracts: Yes	Procurement Type: Software/Maintenance/License	Proposed Action: Renewal
Solicitation Number:	Submitting Agency: Sheriff's Office	Staff Contact: Roderic Terrell	Contact Phone: 404-612-9261

Description: Renewal of Agreement for maintenance of the Automated Fingerprint Identification System used at the Fulton County Jail.

CONTRACTOR INFORMATION

Other Contract Party(s):	Solicitation Information No. Bid Notices Sent:	NON-MFBE	MFBE	FBE	TOTAL
	No. Bids Received:				

Prime Contractor Information: Contractor Type: M/FBE Name: NEC Corporation Address: 10850 Gold Center Drive, Suite 200 City: Rancho Cordova State: California Zip: 95670 Contact Name: Sherry Funk Phone: 916-569-5607 Start Date: 4-1-2010 End Date: 3-31-2011 Upon Approval: <input type="checkbox"/> Amount: \$112,326.05	Subcontractor Information: Contractor Type: Select One Name: Address: City: State: Zip: Contact Name: Phone: Start Date: End Date: Upon Approval: <input type="checkbox"/> Amount:
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FINANCIAL SUMMARY

Total Contract Value: Original Approved Amount: \$ 96,233 Previous Adjustments: \$ 318,541 This Request: \$ 112,326.05 TOTAL: \$ 527,100.05	MBE/FBE Participation: Amount: \$ %: Amount: \$ %: Amount: \$ %: Amount: \$ %:	Grant Information Summary: Amount Requested: <input type="checkbox"/> Cash Match Required: <input type="checkbox"/> In-Kind Start Date: <input type="checkbox"/> Approval to Award End Date: <input type="checkbox"/> Apply & Accept Match Account #:
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Funding Line 1: 100-330-3302-1114	Funding Line 2:	Funding Line 3:	Funding Line 4:
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KEY CONTRACT TERMS

Start Date: 4-1-2010	End Date: 3-31-2010 3/31/2011	Contract Type: Renewal	Payment Terms:
Cost Adjustment:	Renewal/Extension Terms: To be paid monthly for a total of \$112,326.05	Termination Provisions: 90 day Notice required	

Review Budget Approval By R.O.C. ROUTING & APPROVALS

<input checked="" type="checkbox"/> Originating Department:	<i>Natalie Allison Chief of Staff</i>	Date: <i>Jan 13, 2010</i>
<input type="checkbox"/> County Attorney:		Date:
<input type="checkbox"/> Information Technology:		Date:
<input type="checkbox"/> General Services:		Date:
<input type="checkbox"/> Risk Management:		Date:
<input type="checkbox"/> Grants Management:		Date:
<input checked="" type="checkbox"/> Purchasing/Contract Compliance:	<i>Sherry Funk</i>	Date: <i>1/15/2010</i>
<input checked="" type="checkbox"/> Finance/Budget:		Date:

EXHIBIT 1

NEC

NEC Corporation of America
Identification Solutions Divisions
10850 Gold Center Drive, Suite 200
Rancho Cordova, CA 95670

October 16, 2007

Sam Ring
Fulton County Sheriff's Office
185 Central Ave SW, 9th Floor
Atlanta, GA 30303

Dear Mr. Ring:

This letter is to confirm the sole source availability for maintenance on the NEC Corporation of America AFIS Equipment located at the Fulton County Sheriff's Office.

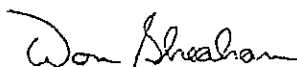
The vast majority of this equipment, both hardware and software, comes from the NEC Corporation in Tokyo, Japan. NEC Corporation of America, a wholly owned American subsidiary of NEC Corporation, is the only provider of repair services or software/application support services in the United States.

NEC Corporation of America is the only vendor with access to spare parts, documentation, system software support from the NEC factory, and other items which are needed to provide adequate maintenance services.

We do appreciate your confidence in NECAM and our AFIS equipment. We are extremely glad to be able to provide remedial and preventative maintenance and support services to the Fulton County Sheriff's Office.

Please do not hesitate to call me at (512) 569-5607 if you have any further questions.

Sincerely,



Don Sheahan
Contracts Manager



JUSTIFICATION AND APPROVAL FOR ALLOWING AWARD OF CONTRACT WITHOUT COMPETITION

(Section A must be completed by the User Department and then submitted to the Department of Purchasing & Contract Compliance)

SECTION A

Department: *Sheriff's Office*

Department Contact: *Jimmy Butts*

Description of Supplies/Services: *Maintenance of the automated fingerprint identification system, including hardware and software*

Demonstration of Contractor's Unique Qualifications:

NEC Corporation is a sole source item that can only be purchased and upgraded through NEC. By nature of this proprietary system, there are currently no other companies authorized to perform maintenance services on this fingerprint identification system. NEC is the only company who can modify or enhance the system. The contractor has been servicing this equipment since its installation in 2003.

NEC Corporation is the manufacturer of this equipment, which has been in place since 2003.

This item was originally procured through the Sole Source process

Failure of the County to use this equipment would impact the intake and release process for jail inmates, and cause the County to not be able to comply with the Harper Consent Decree.

Contractor Sole Source justification letter attached.

(Section B must be completed by the Department of Purchasing & Contract Compliance)

SECTION B

MARKET SURVEY

Results of Market Survey: *No other vendor can provide this service*

Date Public Notice posted on website: *January 20, 2010*

Date Public Notice closed: *January 29, 2010*

REVIEW OF OFFER(S)

Were any offers received (Y/N): *No*

Number of offers received: *None*

Respondents: *None*

Date Offers submitted to User Department for review: *Only NEC submitted*

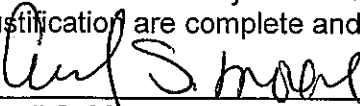
User Department review and recommendation: *NEC Corporation*

Purchasing Agent review and recommendation: *NEC Corporation*

CERTIFICATION

Having conducted a good faith review of source availability regarding the materials, goods and or services stipulated herein, subsequent to consultation with the County Manager and the recommendation of the User Department, it has been determined that there is only one source available for the required work, labor or service to be done or the supplies, materials, or equipment to be furnished. Per the Fulton County Code of Ordinances §2-319, Conditions allowing for award of contract without competition.

I, Cecil S. Moore, Director, certify that the facts and representations under my cognizance which are included in this justification and its supporting documentation which form the basis for this justification are complete and accurate.

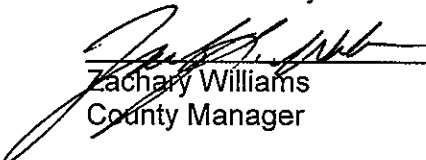


Cecil S. Moore
Director

1-26-10

Date

I, Zachary Williams, County Manager, certify that the facts and representations under my cognizance which are included in this justification and its supporting documentation which form the basis for this justification are complete and accurate.



Zachary Williams
County Manager

1-26-10

Date

DEPARTMENT OF PURCHASING & CONTRACT COMPLIANCE				
CONTRACTORS PERFORMANCE REPORT PROFESSIONAL SERVICES				
Report Period Start	Report Period End		Contract Period Start	Contract Period End
1/31/2008	2/1/2009		3/31/2003	9/30/2010
PO Number				PO Date
61335				4/9/2008
Department	SHERIFF			
Bid Number	SOLE SOURCE	Service Commodity	Maintenance & Software S	
Contractor	NEC Corporation			

0 = Unsatisfactory *Achieves contract requirements less than 50% of the time, not responsive, effective and/or efficient, unacceptable incompetence, high degree of customer dissatisfaction.*

1 = Poor *Achieves contract requirements 70% of the time. Marginally responsive, effective and/or efficient; delays require significant adjustments to programs; key employees marginally capable; customers somewhat satisfied.*

2 = Satisfactory *Achieves contract requirements 80% of the time; generally responsive, effective and/or efficient; delays are exc and/or results in minor programs adjustments; employees are capable and satisfactorily providing service with intervention; customers indicate satisfaction.*

3 = Good *Achieves contract requirements 90% of the time. Usually responsive; effective and/or efficient; delays have no programs/mission; key employees are highly competent and seldom require guidance; customers are highly sa*

4 = Excellent *Achieves contract requirements 100% of the time. Immediately responsive; highly efficient and/or effective; no employees are experts and require minimal directions; customers expectations are exceeded.*

1. Quality of Good/Services (- Adhered to Work Plan - Technical Requirements Met - Reports/Administration Prompt - Personnel Assigned)

Comments:

0

1

2

3

4

Keeps software updated.

2. Timeliness of Performance (- Were Milestones Met as Scheduled - Displayed Reliability - On Time Completion/No Delays - Efficient Use of Manpower resources)

Comments:

0

1

2

3

4

Always responds within 12 hours.

3. Business Relations (- Responsiveness to Inquires - Prompt Problem Notifications)

Comments:

0

1

2

EXHIBIT 3

- 3
- 4

Responses within one business day.

4. Customer Satisfaction (- Scope of Services Delivered - Met User Quality Requirements - Met all Industry Standards - Within Budget/Cost Estimate Invoicing)

- 0
- 1
- 2
- 3
- 4

Comments:
Follows contract.

5. Contractors Key Personnel (- Credentials/Experience Appropriate - Effective Supervision/Management - Available as Needed)

- 0
- 1
- 2
- 3
- 4

Comments:
Issues always handled by staff sent out.

Overall Performance Rating:		4	
Would you select/recommend this vendor again? (Check box for Yes. Leave Blank for No)		Rating completed by:	Eardley Jarvis
<input checked="" type="radio"/> Yes <input type="radio"/> No			
Department Head Name	Department Head Signature	Date	
	<i>Roderic S. Arnold (aka Eardley Jarvis)</i>	1/12/2010	