

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



732

FROM: DISTRICT ATTORNEY

SUBMITTAL DATE:
May 12, 2008

SUBJECT: RATIFY THE AMENDMENT TO THE MASTER AGREEMENT FOR DAMION SOFTWARE SERVICES WITH CONSTELLATION JUSTICE SYSTEMS FOR THE DISTRICT ATTORNEY'S OFFICE.

RECOMMENDED MOTION: Move that the Board of Supervisors;

- 1) Approval of the amended contract with Constellation Justice Systems in the annual amount of \$214,800 in accordance with Ordinance 459.4; and
- 2) Authorize the Purchasing Agent to sign amendments and exercise renewal option for a (1) one year contract for an amount not to exceed the annual CPI rates.

BACKGROUND: On September 15, 1998 the Board of Supervisors approved the purchase from Constellation the CRIMES software for the District Attorney's Office. The first year's annual maintenance and Oracle user application license cost were financed as part of the original contract with Constellation. For the FY 2001 the Board of Supervisors approved this expenditure on July 11, 2000. The District Attorney's office is seeking approval to sole source this expenditure with Constellation.

(Continued on Page 2)

Rod Pacheco, District Attorney

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 214,800	In Current Year Budget:	YES
	Current F.Y. Net County Cost:	\$ 214,800	Budget Adjustment:	NO
	Annual Net County Cost:	\$ 214,800	For Fiscal Year:	2008/09

SOURCE OF FUNDS: DEPARTMENT BUDGET	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY:
Steve P. Schubert

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL

BY:
JOE S. RANK
DATE: 9/17/08
Purchasing: Billy Cornett, Purchasing Manager

Dept's Recomm.: Policy
Per Exec. Ofc.: Policy
 Consent
 Policy

Departmental Concurrence

Prev. Agn. Ref.: 12/18/07 3.17 | District: ALL | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

3.14

RCIT:
Matthew Fyrmire, CIO

Billy Cornett, Purchasing Manager

BOARD OF SUPERVISORS

FORM 11: APPROVE THE AMENDMENT TO THE MASTER AGREEMENT FOR DAMION SOFTWARE SERVICES WITH CONSTELLATION JUSTICE SYSTEMS FOR THE DISTRICT ATTORNEY'S OFFICE.

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PRICE REASONABLENESS:

Maintenance for the software must be provided by Constellation, as they are the developers of this software and the only company able to provide upgrades and support. Constellation has customized this software to include modules for Victim Witness and Investigations for the District Attorney. Conversion to another system could result in loss of case management, impact manpower and necessitating additional funds.

The 2008/2009 Annual Silver Maintenance Fee for DAMION shall be \$162,000. Thereafter annual increases in the maintenance fees will not exceed a percentage increase equivalent to the annual percentage rate of increase in the Consumer Price Index.

The Annual Maintenance Fee for Oracle will be \$52,800. This is based on a Maintenance Fee of \$132 per concurrent seat multiplied by 400 seats. Second and subsequent years of Maintenance Fees for the Oracle RDBMS will be calculated using the formula of the ORACLE Maintenance Fee percentage multiplied by the then current Oracle License Fee.

REVIEW/APPROVAL:

Date: May 12, 2008
From: Rod Pacheco Department/Agency: District Attorney
To: Board of Supervisors
Via: Purchasing Agent
Subject: Sole Source Procurement; Request for DAMION SOFTWARE MAINTENANCE

The below information is provided in support of my Department requesting approval for a sole source. Outside of a duly declared emergency, the time to develop a statement of work or specifications is not in itself justification for sole source.

Supply/Service being requested: DAMION SOFTWARE ANNUAL LICENSES AND MAINTENANCE

Supplier being requested: CONSTELLATION JUSTICE SYSTEMS

Alternative suppliers that can or might be able to provide supply/service: NONE

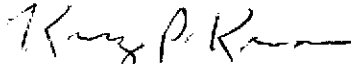
Extent of market search conducted: THIS IS A PROPRIETARY SOFTWARE LICENSE.

Unique features of the supply/service being requested from this supplier, which no alternative supplier can provide: CONSTELLATION IS THE DEVELOPER OF THIS SOFTWARE AND THE ONLY COMPANY ABLE TO PROVIDE UPGRADES. THIS PRODUCT IS PROPRIETARY AND NOT AVAILABLE ON THE OPEN MARKET


Reasons why my department requires these unique features and what benefit will accrue to the county: DAMION SOFTWARE PROVIDES THE DISTRICT ATTORNEY CASE MANAGEMENT SOFTWARE CRITICAL TO THE TRACKING AND PROSECUTION OF CASES.

Price Reasonableness: \$214,800 PER YEAR

Does moving forward on this product or service further obligate the county to future similar contractual arrangements? NO



Department Head Signature 8-27-08
Kelly P. Keenan for Rod Pacheco **Date**
Purchasing Department Comments:

Approve **Approve with Condition/s** **Disapprove**


Purchasing Agent 8-28-08
Date