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

FROM: DISTRICT ATTORNEY

SUBMITTAL DATE:
August 27, 2009

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) Approve the amended contract with Constellation Justice Systems in the annual amount of \$195,405 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.

BACKGROUND: In 1999, the District Attorney's Office researched and assessed different software packages to implement and service a case management system required for the day to day office operations. With the Board's approval, the Damion case management system was purchased in 1999. It remains in operation today and is an integral part of the operations of the District Attorney's Office. The terms negotiated in the 1999 contract require an annual maintenance fee to be paid to Constellation Justice Systems.

(Continued on Page 2)

Kelly P. Keenan

Kelly P. Keenan, Assistant District Attorney for
Rod Pacheco, District Attorney

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 195,405	In Current Year Budget:	YES
	Current F.Y. Net County Cost:	\$ 195,405	Budget Adjustment:	NO
	Annual Net County Cost:	\$ 195,405	For Fiscal Year:	2009/10

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

Robert Tremaine
BY: Robert Tremaine

Robert Tremaine

County Executive Office Signature

FORM APPROVED BY COUNTY COUNSEL
BY: *Neal R. Kipnis* 9/2/09
NEAL R. KIPNIS DATE

RCIT Matthew Frymire, CIO Purchasing
Billy Comett, Purchasing Manager

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

Prev. Agn. Ref.: 10/7/08 3.14 | District: ALL | Agenda Number:

3.31

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.
PAGE 2**

PRICE REASONABLENESS:

Constellation Justice Systems is the developer of this software system and is the only company able to provide upgrades and support. Conversion to another vendor for the maintenance of the Damion case management system could result in loss of case management data, would impact manpower and necessitate additional funds.

The District Attorney's Office recently met with the Damion vendor and successfully negotiated a lower rate that will assist both the County and the District Attorney's Office with the current budgetary challenges. The renegotiated fee agreement includes a "maintenance reduction" of \$10,000 as well as a "tough economy rebate" in the amount of \$11,712 for a total savings of \$21,712 and over 10% cut from the \$217,116 invoice originally submitted by the vendor.

The renegotiated 2009/2010 Annual Silver Maintenance Fee for DAMION shall be \$142,605 and the Annual Maintenance Fee for the Oracle operating permit will be \$52,800.

REVIEW/APPROVAL:

Date: August 27, 2009
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

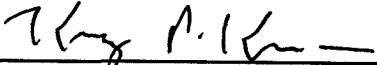
Extent of market search conducted: THIS IS A PROPRIETARY SOFTWARE LICENSE.

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: \$195,405.00 PER YEAR

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



Department Head Signature 8-31-09
Date

Purchasing Department Comments:

Approve Approve with Condition/s Disapprove


Purchasing Agent 9-2-09
Date

**COUNTY OF RIVERSIDE
DISTRICT ATTORNEY
AMENDMENT TO THE AGREEMENT
WITH
CONSTELLATION JUSTICE SYSTEMS**

CONTRACTOR: Constellation Justice Systems
Contract Term: July 1, 2009 through June 30, 2010
Effective Date of Amendment: June 30, 2009
Annual Maximum Contract Amount: \$195,405

The contract between Riverside County, herein referred to as COUNTY and Constellation Justice Systems, herein referred to as CONTRACTOR, is amended as follows:


1. On page 1, amend just the "Term":
 - o To amend all reference to the Period of Performance from expiration of 6/30/09 to a period of performance of 7/01/09 through 6/30/10. All other terms and conditions in the master agreement shall apply.
2. On Page 1, amend just the "Compensation of Contractor":
 - o The County agrees to pay CONTRACTOR for services performed at an annual rate of one hundred ninety five thousand four hundred five dollars and no cents (\$195,405). All other terms of Compensation in the master agreement shall apply.
3. All other terms and conditions of the Master Agreement are to remain unchanged.

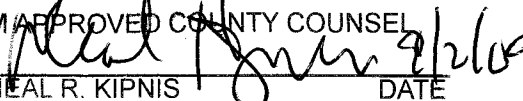
IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this Amendment.

County

Contractor

By: _____
Name: Jeff Stone
Title: Chairman of the Board of Supervisors
Date:

By: 
Name: Steve Robichaud
Title: General Manager
Date: 9/9/09

FORM APPROVED COUNTY COUNSEL
BY: 
NEAL R. KIPNIS DATE