

FORM APPROVED COUNTY COUNSEL  
 BY: GREGORY P. PRIAMOS DATE: 1/25/16

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



**FROM:** DISTRICT ATTORNEY

**SUBMITTAL DATE:**  
 January 13, 2016

**SUBJECT:** Ratify and approve Amendment No. 16 to the Master Agreement for Damion Maintenance Software with Constellation Justice Systems for the District Attorney's Office, for two years. All Districts; [\$397,816]; General Fund.

**RECOMMENDED MOTION:** That the Board of Supervisors:

- 1) Ratify and approve of Amendment No. 16 to the Master Agreement for Damion Maintenance Software with Constellation Justice Systems for the District Attorney's Office, for two years in the annual amount of \$198,908; and,
- 2) Authorize the Purchasing Agent, in accordance with Ordinance 459, based on the availability of fiscal funding to sign amendments that do not change the substantive terms of the agreement, including amendments to the compensation provision that do not exceed the annual CPI rates, as approved by County Counsel.

**FISCAL PROCEDURES APPROVED**  
**PAUL ANGULO, CPA, AUDITOR-CONTROLLER**  
 BY: Susana Garcia-Bocanegra 1/26/16  
 Susana Garcia-Bocanegra

Elaina G. Bentley  
 Elaina G. Bentley, Assistant District Attorney for  
 Michael A. Hestrin, District Attorney

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
<b>COST</b>	\$ 198,908	\$ 198,908	\$ 397,816	\$ -0-	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
<b>NET COUNTY COST</b>	\$	\$	\$	\$ -0-	
<b>SOURCE OF FUNDS: GENERAL FUND 100%.</b>				<b>Budget Adjustment: NO</b>	
				<b>For Fiscal Year: 15/16-16/17</b>	

**C.E.O. RECOMMENDATION:**

APPROVE

County Executive Office Signature

BY: Elizabeth J. Olson  
 Elizabeth J. Olson

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Jeffries, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

**Ayes:** Jeffries, Tavaglione, Washington, Benoit and Ashley  
**Nays:** None  
**Absent:** None  
**Date:** February 9, 2016  
**xc:** DA, Purchasing

Kecia Harper-Ihem  
 Clerk of the Board  
 By: Kecia Harper-Ihem  
 Deputy

Prev. Agn. Ref.: 6/18/13 3.13 | District: ALL | Agenda Number:

**3-3**

Purchasing & Fleet Services: Teresa Summers  
 Teresa Summers, Assistant Director

Departmental Concurrence

A-30  Positions Added  Change Order  
 4/5 Vote

Ratify and approve Amendment No. 16 to the Master Agreement for Damion Maintenance Software with Constellation Justice Systems for the District Attorney's Office, for two years. All Districts; [\$397,816]; General Fund-100%.

**DATE: January 13, 2016**

**PAGE: 2 of 2**

**BACKGROUND:**

**Summary**

In 1998, 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. Until a new Case Management replacement system can be identified and implemented, our Damion system remains integral to the daily 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.

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.

Additionally, the Damion case management system (CMS) must be maintained until a new CMS system is in place because it is the main storage system for all criminal cases in Riverside County. The Damion system tracks criminal cases from arraignment to trial to sentencing. The maintenance of the Damion system is crucial to the Office's ability to prosecute cases because Damion not only tracks the progress of cases, but gives prosecutors the ability to issue subpoenas, search a defendant's criminal history, track discovery, and maintain digital evidence. The continued use of Damion will make merging data from the existing system to the new CMS system more efficient.

**Impact on Residents and Businesses**

No negative impact on residents or businesses.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

Constellation Justice System maintenance renewal will be paid out of the District Attorney's general fund and there is no additional net county cost incurred this is comprised of two charges:

Software maintenance	\$143,817
Oracle Licenses	<u>\$ 55,091</u>
Total	\$198,908

**Contract History and Price Reasonableness**

The District Attorney's Office has successfully negotiated lower rates for the last 5 years. The annual renewal amount of \$198,908 has been in place since FY13/14. Prior Amendments No. 1 - 15 were authorized for annual renewals and for limited CPI increases.

COUNTY OF RIVERSIDE  
AMENDMENT NO. 16 TO THE AGREEMENT  
WITH  
CONSTELLATION JUSTICE SYSTEMS

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Original Contract Term:	7/1/12 through 6/30/15
Effective Date of Amendment:	7/1/15
Annual Maximum Contract Amount:	\$ 198,908

The Agreement between County of Riverside, herein referred to as COUNTY and Constellation Justice Systems, herein referred to as CONTRACTOR, entered into as of 7/1/1999, is amended as follows:

1. On page 1 of the Agreement amend Section 1 the "Compensation of Contractor":  
"The COUNTY agrees to pay CONTRACTOR for services performed at an annual rate of one hundred ninety eight thousand nine hundred eight dollars (\$198,908), to be paid in one installment, based on the availability of fiscal funding".
2. On Page 1, of the Agreement amend Section 1 the "Term":  
"All references to the Period of Performance from expiration of 6/30/15 to a period of performance of 7/1/15 through 6/30/16, with the option to renew for one additional year".
3. All requested increases shall be Annual increases and shall not exceed the Consumer Price Index – All Consumers, All Items – Greater Los Angeles, Riverside and Orange County areas, All items and be subjected to satisfactory performance review by using COUNTY agency and approved for budget funding by the County Board of Supervisors.
4. A minimum of 30 days advance notice in writing is required to secure any price increases to this contract. No retroactive price adjustments will be considered.
5. All other terms and conditions of the Agreement not modified herein shall remain unchanged.

COUNTY OF RIVERSIDE  
AMENDMENT NO. 16 TO THE AGREEMENT  
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IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this Amendment.

COUNTY OF RIVERSIDE, a political  
subdivision of the State of California

By: John W. Benoit  
John W. Benoit, Chairman  
Board of Supervisors  
Dated: FEB 09 2016

CONSTELLATION JUSTICE  
SYSTEMS

By: Kevin Bode  
Name: KEVIN BODE  
Title: GM  
Dated: 12-31-15

ATTEST:

Kecia Harper-Ihem  
Clerk of the Board

By: [Signature]  
Deputy

APPROVED AS TO FORM:

Gregory P. Priamos  
County Counsel

By: [Signature]  
Neal Kipnis,  
Deputy County Counsel