

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



ITEM: 3.50
(ID # 22041)

MEETING DATE:

FROM : SHERIFF-CORONER-PA:

Tuesday, May 23, 2023

SUBJECT: SHERIFF-CORONER-PA: Approve the Flock Group, Inc. Amendment No. 2 for Flock Safety License Plate Recognition (LPR) Cameras/Software without seeking competitive bids for one year in the amount of \$132,850 with an option to renew three additional one-year periods in the amount of \$102,000 annually; Third District [Total cost \$438,850; Ongoing Cost \$102,000; Up to \$43,885 in Additional Compensation]. 100% General Fund (4/5 Vote Required).

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Flock Group Inc. Amendment No. 2 ("Amendment") for thirty-four (34) Flock Safety License Plate Recognition (LPR) camera annual subscription licenses without seeking competitive bids for one year in the amount of \$132,850 with the option to renew for three additional one-year periods in the amount of \$102,000 annually for a total of \$438,850 through June 30, 2026, and authorize the Chair of the Board to sign the Amendment on behalf of the County; and

Continued on Page 2

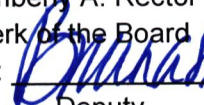
ACTION:Policy, 4/5 Vote Required


Donald Sharp, Undersheriff 5/18/2023

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez, and Gutierrez
Nays: None
Absent: None
Date: May 23, 2023
xc: Sheriff, Auditor-Controller

Kimberly A. Rector
Clerk of the Board
By: 
Deputy

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

RECOMMENDED MOTION: That the Board of Supervisors:

2. Authorize the Purchasing Agent, in accordance with Ordinance No. 459, based on the availability of fiscal funding and as approved as to form by County Counsel to: (a) sign amendments that exercise the options of the Agreement, including modifications of the statement of work that stay within the intent of the Agreement; (b) sign amendments to the compensation provisions that do not exceed the sum total of ten percent (10%) of the total annual cost of the Agreement.

3. Approve and direct the Auditor-Controller to make the budget adjustment on the attached Schedule A.

| FINANCIAL DATA | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost |
|--|-----------------------------|--------------------------|--------------------|-------------------------------------|
| COST | \$ 132,850 | \$ 102,000 | \$ 438,850 | \$ 102,000 |
| NET COUNTY COST | \$ 132,850 | \$ 102,000 | \$ 438,850 | \$ 102,000 |
| SOURCE OF FUNDS: FY22/23: 75% Unincorporated Communities Initiative project, 25% Sheriff's Budget, FY23/24-25/26: 100% Sheriff's Budget | | | | Budget Adjustment: Yes |
| | | | | For Fiscal Year: 22/23-25/26 |

C.E.O. RECOMMENDATION: Approve

BR: 23-094

Prev. Agn. Ref.: 3.4, 01/24/23; 3.41 1/10/23

BACKGROUND:

Summary

On January 24, 2023, the Board directed the Riverside County Sheriff's Department to initiate work on the Unincorporated Communities Initiative project using the allocated resources from the Unincorporated Communities Fund. The Third District allocated \$100,000 to purchase thirty-four (34) Flock Cameras to be installed throughout unincorporated communities within the district. These additional cameras will be installed within the Hemet area. The Sheriff's Department recommends the Board approve an increase to the approved sole source limits to cover Amendment No. 2 with Flock Group, Inc. for the additional cameras.

Previously, on October 19, 2021 (Minute Order 3.27), the Board approved the Flock Safety Service Agreement Order Form (Agreement) for two hundred sixty (260) Flock Safety License Plate Recognition (LPR) cameras without seeking competitive bids, extending through June 30, 2026, with an annual amount of \$650,000. On January 10, 2023 (Minute Order 3.41), the Board supplementally approved to increase the approved sole source limits to cover the additional service agreement for thirty-four (34) Flock Safety License Plate Recognition (LPR) camera annual subscription licenses.

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

Flock Safety is a public safety operating system that helps communities and law enforcement in over one thousand cities work together to eliminate crime, protect privacy, and mitigate bias. Flock cameras capture still images with date, time, and location which can be used during a criminal investigation. The cameras also assist in locating stolen vehicles and alerting law enforcement of vehicles associated with Amber and Silver Alerts.

Other local government agencies currently using Flock Systems include Los Angeles Sheriff's Department, Azusa Police Department, Covina PD, Hemet PD, West Covina PD, City of Beaumont, City of Canyon Lake, City of Cathedral City, City of Corona, City of Desert Hot Springs, City of Hemet, City of Lake Elsinore, City of Menifee, City of Moreno Valley, City of Norco, City of Perris, City of Redlands, City of San Jacinto, City of Temecula, and the City of Wildomar.

Flock Safety is the sole manufacturer and distributor of the Flock Safety License Plate Recognition (LPR) Camera. Flock Safety is also the exclusive provider of comprehensive monitoring, processing, and machine vision services that integrate with the Flock Safety Camera.

Impact on Residents and Businesses

The use of Flock Cameras improves public safety and reduces crime by improving the crime solvency rate.

Additional Fiscal Information

The Third District allocated \$100,000 to purchase thirty-four (34) Flock Cameras to be installed throughout unincorporated communities in the third district. The Sheriff's Department budget will cover the remaining \$32,850 in FY22/23 and the recurring cost to renew the subscription for \$102,000 annually. A budget adjustment is being requested for the \$100,000 of reimbursement from the Unincorporated Communities Funds.

Flock Safety provides a standard government rate of \$3,000 per camera for an annual subscription that is non-negotiable. Thirty-four (34) annual subscriptions will be used to support thirty-four (34) LPR cameras. There are no per-user license fees such as "seat licenses." If a camera suffers from a manufacturer defect, Flock Safety will replace the camera at no additional fee.

ATTACHMENTS

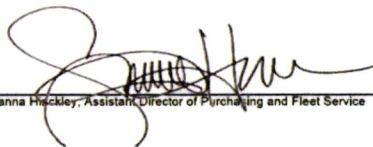
- Flock Group Inc. Amendment - 3 Copies
- Sole Source Justification #23-063
- Attachment A

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

SCHEDULE A – FY22/23

| | | |
|-------------------------|--------------------------------------|-----------|
| Increase Appropriations | | |
| 10000-2500300000-523680 | Subscriptions | \$100,000 |
| Increase Revenue | | |
| 10000-2500300000-790600 | Contribution from other County Funds | \$100,000 |


Heydee Koury, Sr Accountant - Auditor 5/18/2023


Suzanna Hackley, Assistant Director of Purchasing and Fleet Service 5/18/2023


Rebecca S Cortez, Principal Management Analyst 5/18/2023


Kristine Bell-Valdez, Supervising Deputy County Counsel 5/18/2023

COUNTY OF RIVERSIDE
AMENDMENT NO. 2 TO THE ADDITIONAL SERVICES AGREEMENT
WITH
FLOCK GROUP INC.

| | |
|--|-------------------------------|
| Original Contract Term: | 10/19/2021 through 06/30/2026 |
| Effective Date of Amendment: | 05/23/2023 |
| Original Annual Maximum Contract Amount: | \$650,000 |
| Amended Annual Maximum Contract Amount: | \$882,550 |
| Contract ID: | SHARC-68087-001-06/26 |

This Amendment No. 2 to the Additional Services Agreement for Flock Safety Flock OS, Flock Safety LPR Products, and Professional Implementation Services between County of Riverside (COUNTY) and Flock Group Inc., a Delaware corporation (CONTRACTOR), (Amendment No. 2) shall be effective May 23, 2023 (Effective Date).

RECITALS

WHEREAS, the Parties entered into that certain Services Agreement Order Form for Flock Falcon Camera Usage and Professional Implementation Services, effective October 19, 2021 through June 30, 2026; the agreement together with this amendment is collectively referred to as the "Agreement"; and

WHEREAS, the COUNTY and CONTRACTOR now desire to amend the Additional Services Agreement to increase the overall contract maximum by \$132,850.00 because of an additional purchase for the Hemet Patrol Station to be completed in fiscal year 22/23.

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the Parties agree as follows:

1. The above recitals are true and correct and are incorporated herein by reference.
2. The Additional Services Agreement is amended to increase the Original Annual Maximum Contract Amount from \$650,000 to the Amended Annual Maximum Contract Amount to \$867,850.
3. Addition of Exhibit "B-1" (Payment Provisions) to include price increases and additional Professional Implementation Services with Billing Frequency milestones.
4. This Amendment may be executed in any number of counterparts, each of which will be an original, but all of which together will constitute one instrument. Each party of this Amendment agrees to the use of electronic signatures, such as digital signatures that meet the requirements of the California Uniform Electronic Transactions Act ((“CUETA”) Cal. Civ. Code §§ 1633.1 to 1633.17), for executing this Amendment. The parties further agree that the electronic signatures of the parties included in this Amendment are intended to authenticate this writing and to have the same force and effect as manual signatures. Electronic signature means an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record pursuant to the CUETA as amended from time to time. The CUETA authorizes use of an electronic signature for transactions and contracts among

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COUNTY OF RIVERSIDE
AMENDMENT NO. 2 TO THE ADDITIONAL SERVICES AGREEMENT
WITH
FLOCK GROUP INC.

parties in California, including a government agency. Digital signature means an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature, and shall be reasonably relied upon by the parties. For purposes of this section, a digital signature is a type of "electronic signature" as defined in subdivision (i) of Section 1633.2 of the Civil Code.

5. All other terms and conditions of the Additional Services Agreement not modified herein shall remain unchanged.
6. The Effective Date of this Amendment No. 2 shall be May 23, 2023.

[signatures on the following page]

COUNTY OF RIVERSIDE
AMENDMENT NO. 2 TO THE ADDITIONAL SERVICES AGREEMENT
WITH
FLOCK GROUP INC.

IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this Amendment No. 2.

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

By: 

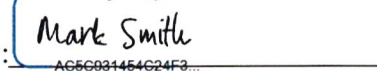
Name: Kevin Jeffries

Title: Chairman

Dated: 5/23/23

FLOCK GROUP, INC.

a Delaware corporation

By:  DocuSigned by: Mark Smith

Name: Mark Smith

Title: General Counsel

Dated: 5/18/2023

ATTEST:
KIMBERLY A. RECTOR

Clerk of the Board

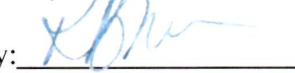
By: 

Deputy

APPROVED AS TO FORM:

Minh C. Tran

County Counsel

By: 

Kristine Bell-Valdez,
Supervising County Counsel

MAY 23 2023 3:50

COUNTY OF RIVERSIDE
 AMENDMENT NO. 2 TO THE ADDITIONAL SERVICES AGREEMENT
 WITH
 FLOCK GROUP INC.

EXHIBIT “B-1” PAYMENT PROVISIONS

| Billing Frequency | Milestone | Amount |
|--------------------------|--|------------------|
| One-Time | 50% of Annual Contract + 100% of Implementation Services Invoiced at Contract Signing | \$81,850 |
| One-Time | 25% of Annual Contract Invoiced at First Camera Validation | \$25,500 |
| One-Time | 25% of Annual Contract Invoiced at Last Camera Validation | \$25,500 |
| Annual | Annual Payments Invoiced for remainder of subscription term | \$102,000 |
| Subscription Term | 12-Months | |
| Payment Terms | Net 30 | |



Riverside County Sheriff's Department

Chad Bianco, Sheriff-Coroner

4095 Lemon Street • Riverside • California • 92501
www.riversidesheriff.org

Date: May 17, 2023
From: Claudia Preciado Arroyo, Deputy Director Sheriff Admin
To: Board of Supervisors
Via: Emily Long, Administrative Services Manager III, 951-955-2710
Subject: Sole Source Procurement; Request for Thirty-Four (34) Additional Flock Safety License Plate Recognition (LPR) Cameras/ Annual License Subscription

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

1. **Supplier being requested:** Flock Safety
2. **Vendor ID:** 0000243058
3. **Single Source** **Sole Source**
4. **Have you previously requested and received approval for a sole or single source request for this vendor for your department?**
 Yes **No**
SSJ# 23-063
- 4a. **Was the request approved for a different project?**
 Yes **No**

5. **Supply/Service being requested:**

On January 25, 2023, the Riverside County Board of Supervisors (Board) directed the Riverside County Sheriff's Department to initiate work on the Unincorporated Communities Initiative project using the allocated resources from the Unincorporated Communities Fund. The Third District allocated \$100,000 to purchase thirty-four (34) Flock Cameras to be installed throughout unincorporated communities in the Third District serviced by the Hemet Station.

The Patrol Department and Ben Clark Training Center currently utilizes two hundred ninety-four (294) Flock Safety License Plate Recognition (LPR) cameras. The Flock Safety Agreement Order Form (Agreement) to purchase two hundred sixty (260) without seeking competitive bids was

approved by the Board of Supervisors on October 19, 2021 (3.27), extending through June 30, 2026, with an annual amount of \$650,000.

The Flock Safety Agreement Order Form (Agreement) to purchase thirty-four (34) without seeking competitive bids was approved by the Board of Supervisors on January 10, 2023 (3.41), extending through June 30, 2026, with an annual amount of \$85,000.

Hemet Station is seeking the installation of thirty-four (34) Flock Safety LPR Falcon cameras on existing poles or a Flock supplied pole, if required, annual subscription, software user interface, camera implantation, and cellular mounting equipment. Flock Safety will conduct Site Surveys with the agency, in addition to 811 utility clearance before installation. Flock Safety will provide information and supporting documents to obtain the required permits with the required entities. Flock Safety will create a Deployment Plan in collaboration with the Sheriff's Department, detailing the location of the cameras.

6. Unique features of the supply/service being requested from this supplier.

Flock Safety provided a sole source letter stating they are the sole manufacturer and developer of the Flock Safety Camera. The Flock Safety letter also stated they are the sole provider of the comprehensive monitoring, processing, and machine vision services that integrate with the Flock Safety Camera.

The Flock Safety LPR camera is the only Law Enforcement Grade LPR System to offer the following combination of features:

- Machine vision to analyze vehicle license plate, vehicle color, and vehicle make and objects (roof rack, unique hub cap, etc.) based on image analytics (not car registration data), which also protects against stolen/removed license plates
- Wireless deployment of license plate reading cameras with integrated cellular connectivity weighing less than 5lbs and powered by a solar panel of 60W or less
- Ability to capture two (2) lanes of traffic simultaneously with a single camera from a vertical mass
- On-device machine processing to limit LTE bandwidth consumption
- Covert industrial design for minimizing visual pollution
- Machine vision to detect persons, animals, vehicles, state of license plate
- Ability to 'Save Search' based on the description of vehicles using our patented Vehicle Fingerprint Technology without the need for a license plate and set up alerts based on the vehicle description
- Web-based footage retrieval tool with filtering capabilities such as vehicle color, partial/full license plate, and object detection
- Web-based push alerts for hot plates with the capability of plate state-match.
- No user license fees such as "seat licenses"
- Performance monitoring software to predict potential failures, obstructions, tilts, and other critical or minor issues
- Ability to capture and process 30,000 vehicles per day with a single camera powered exclusively by solar power
- Direct integration with Axon Evidence.com
- Privacy controls to enable certain vehicles to 'opt-out' of being captured
- Utilizes motion capture to start and stop recording with machine learning and artificial intelligence, which allows Flock Safety to capture vehicle characteristics without the need for a reflective license plate

- Flock Safety is the only fully integrated LPR one-stop solution from the production of the camera to delivery and installation

Flock Safety focuses on objective evidence (vehicles and license plates) by capturing car features; make, model, color, license plate and state, and timestamp. This feature ensures people's privacy is protected by eliminating the use of facial recognition technology and the recording of any personally identifiable information such as names, addresses, or phone numbers. The Department will own their data; data generated from Flock Safety is not sold to third parties. The camera footage is stored, secured, and encrypted in AWS Government Cloud and automatically deleted every thirty (30) days on a rolling basis. The camera only takes photos, and there is no live feed. The system is not monitored nor used for surveillance purposes.

Through AI and Machine Learning technology, Flock LPR Cameras scan each image for distinguishing features instead of traditional metal plates. Flock Safety increases vehicle images, provides more accurate reads than traditional LPR cameras, and deters crime. The cameras detect vehicles with no plates, temporary plates, dirty/covered plates and allow the user to search by vehicle type, make, model, color, timeframe, or plate detail. Traditional LPR cameras are triggered by infrared technology that miss vehicles associated with the amount of reflectivity of the plate, older/dirtier tags, and dealer-provided paper plates. Flock cameras protect the County and citizens while providing unbiased investigative leads to the Sheriff's Department.

7. Reasons why my department requires these unique features from the vendor and what benefit will accrue to the county:

Flock Safety's public safety operating system is an excellent tool to help serve the communities within the Riverside County Sheriff's Department region by eliminating crime, protecting privacy, and mitigating bias more efficiently. Flock cameras capture still images with date, time, and location which will assist during a criminal investigation. The cameras will also assist in locating stolen vehicles and alerting law enforcement of vehicles associated with Amber and Silver Alerts.

Other local government agencies currently using Flock Systems include Los Angeles Sheriff's Department, Azusa Police Department PD, Covina PD, Hemet PD, West Covina PD, City Beaumont, City of Canyon Lake, City of Cathedral City, City of Corona, City of Desert Hot Springs, City of Hemet, City of Lake Elsinore, City of Menifee, City of Moreno Valley, City of Norco, City of Perris, City of Redlands, City of San Jacinto, City of Temecula, and the City of Wildomar.

8. Period of Performance: From: 05/23/2023 to 06/30/2026
 (total number of years: 4)

Is this an annually renewable contract? No Yes
 Is this a fixed-term agreement: No Yes

9. Identify all costs for this requested purchase. In addition, please include any single or sole source amounts previously approved and related to this project and vendor in the section designated below for current and future fiscal years. You do not need to include previous fiscal year amounts. If approval is for multiple years, ongoing costs must be identified below. If annual increases apply to ongoing costs such as CPI or other contract increases, provide the estimated annual cost for each consecutive year. If the annual increase may

exceed the Purchasing Agent's authority, Board approval must be obtained. (Note: ongoing costs may include but are not limited to subscriptions, licenses, maintenance, support, etc.)

| Description: | FY 22/23 | FY 23/24 | FY 24/25 | FY 25/26 | Total |
|------------------------------------|------------------|------------------|------------------|------------------|--------------------|
| One-time Costs: | | | | | |
| (27) Standard Implementation Fee | \$17,550 | | | | \$17,550 |
| (7) Advanced Implementation Fee | \$13,300 | | | | \$13,300 |
| Ongoing Costs: | | | | | |
| (34) Flock Falcon Camera Usage Fee | \$102,000 | \$102,000 | \$102,000 | \$102,000 | \$408,000 |
| Previous SSJ Approved Amounts: | | | | | |
| 23-063 (3.41 01/10/23) | \$749,700 | \$735,000 | \$735,000 | \$735,000 | \$2,954,700 |
| Total Costs | \$882,550 | \$837,000 | \$837,000 | \$837,000 | \$3,393,550 |

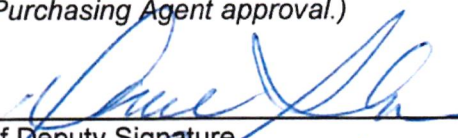
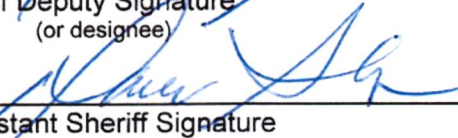
10. Price Reasonableness: (Explain why this price is reasonable or cost effective – were you provided government discounted pricing? Is this rate/fee comparable to industry standards?)

Flock Safety provides a standard government rate of **\$3,000 per camera** for an annual subscription that is non-negotiable. Thirty-four (34) annual subscriptions will be used to support thirty-four (34) Flock Safety cameras. There are no per user license fees such as "seat licenses." If a camera suffers from a manufacturer defect, Flock Safety will replace the camera at no additional fee. A 10% compounded increase was added as a contingency for any possible price increases that are approved by the department and fall within the Consumer Price Index.

The Third District allocated \$100,000 to purchase thirty-four (34) Flock Cameras to be installed throughout unincorporated communities in the Third District serviced by the Hemet Station. The Sheriff's Office will cover the recurring cost to renew the subscription for \$102,000.

11. Projected Board of Supervisor Date (if applicable): May 23, 2023

(Draft Form 11s, service agreement and or quotes must accompany the sole source request for Purchasing Agent approval.)

| | | |
|---|--------------|---------|
|  | DONALD SHARP | 5/18/23 |
| Chief Deputy Signature (or designee) | Print Name | Date |
|  | DONALD SHARP | 5/18/23 |
| Assistant Sheriff Signature (or designee) | Print Name | Date |

Amanda Bennett
Department Head Signature
(or designee)

Amanda Bennett
Print Name

5/18/23
Date

The section below is to be completed by the Purchasing Agent or designee.

Purchasing Department Comments:

Approve

Approve with Condition/s

Disapprove

Condition/s:

Amended and approved as requested above.

Not to exceed:

One-time \$ _____

Annual Amount \$ _____ / per fiscal year through _____ (date)
(If Annual Amount Varies each FY)

FY _____ : \$ _____
FY _____ : \$ _____
FY _____ : \$ _____
FY _____ : \$ _____
FY _____ : \$ _____

Suzanna Hinckley
Suzanna Hinckley, Assistant Director

23-063 A

Purchasing Agent

Date

Approval Number
(Reference on Purchasing Documents)