



County Executive Office

Memorandum

December 14, 2023

To: Clerk of the Board of Supervisors
From: Frank Kim, County Executive Officer
Subject: Exception to Rule 21

Digitally signed by Frank Kim
DN: cn=Frank Kim, o=County of Orange, ou=CEO, email=frank.kim@ocgov.com, c=US
Date: 2023.12.14 16:19:08'00'

CLERK OF THE BOARD
COUNTY OF ORANGE
BOARD OF SUPERVISORS

2023 DEC 15 AM 10:00

RECEIVED

S35H

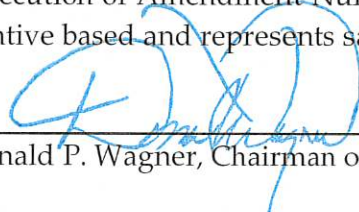
The County Executive Office is requesting a Supplemental Agenda Staff Report for the December 19, 2023, Board Hearing.

Agency: Sheriff-Coroner
Subject: Approve Amendment Number One to the Cask NX LLC Contract
Districts: All Districts

Reason Item is Supplemental: This Agenda Staff Report is being requested to be submitted as a supplemental due to extensive negotiations of terms and conditions with the contractor. Approval of Amendment Number One to the contract with CASK NX LLC will provide Sheriff-Coroner with discounted rates and allow Sheriff-Coroner to continue to receive professional services for ServiceNow Support Services, Human Resources Service Delivery Module Integration and Cask Managed Services Support and Maintenance. The Agenda Staff Report and attachments were finalized after the filing deadline to the Clerk of the Board.

Justification: Execution of Amendment Number One with CASK NX LLC prior to December 31, 23023, is incentive based and represents savings on lower services fee rates.

Concur:



Donald P. Wagner, Chairman of the Board of Supervisors

cc: Board of Supervisors
County Executive Office
County Counsel



**SUPPLEMENTAL AGENDA ITEM
 AGENDA STAFF REPORT**

MEETING DATE: 12/19/23
LEGAL ENTITY TAKING ACTION: Board of Supervisors
BOARD OF SUPERVISORS DISTRICT(S): All Districts
SUBMITTING AGENCY/DEPARTMENT: Sheriff-Coroner
DEPARTMENT HEAD REVIEW: [Signature]
Department Head Signature
DEPARTMENT CONTACT PERSON(S): Brian Wayt (714) 647-1803
 Dave Fontneau (714) 704-7919

RECEIVED
 2023 DEC 15 AM 10:00
 CLERK OF THE BOARD
 COUNTY OF ORANGE
 BOARD OF SUPERVISORS

SUBJECT: Approve Amendment Number One to the Cask NX LLC Contract

CEO CONCUR

[Signature]

Digitally signed by Frank Kim
 DN: cn=Frank Kim, o=County of
 Orange, ou=CEO,
 email=frank.kim@ocgov.com,
 c=US
 Date: 2023.12.14 16:19:41 -0800

CEO Signature

COUNTY COUNSEL REVIEW

Approve Agreement as to Form

Action

Liz Pejeau

Digitally signed by Liz Pejeau
 DN: cn=Liz Pejeau, o=County Counsel, ou=County of
 Orange, email=liz.pejeau@ocgov.com, c=US
 Date: 2023.12.14 15:58:12 -0800

County Counsel Signature

CLERK OF THE BOARD

Discussion

3 Votes Board Majority

Budgeted: Yes

Current Year Cost: \$187,938

Annual Cost:

FY 2024-25 \$375,876

FY 2025-26 \$313,230

Staffing Impact: N/A

of Positions: N/A

Sole Source: No

Current Fiscal Year Revenue: N/A

Funding Source: Budget Control 060: 100% NCC

County Audit in last 3 years: No

Levine Act Review Completed: Yes

Prior Board Action: 3/28/2023 #S43C

RECOMMENDED ACTION(S)

Authorize the County Procurement Officer or Deputized designee to execute Amendment Number One to the Contract with CASK NX LLC for ServiceNow Support Services, Human Resources Service Delivery Module Integration and Cask Managed Services Support Maintenance, and increase the original contract amount of \$1,501,486, by \$877,044, for a new not to exceed amount of \$2,378,530, for the term ending April 30, 2026.

SUMMARY:

Approval of Amendment Number One to the contract with CASK NX LLC will allow the Sheriff-Coroner to double the capacity required for the digital transformation and modernization efforts underway and to improve processes to better defend against and prepare for any future cyber-attacks.

Sheriff aims to double the capacity to meet the needs that have arisen as a result of the digital transformation and modernization efforts. These needs include initiatives and tasks directly stemming from the cyber-attack that compromised the District Attorney's office and ultimately impacted the justice system in Orange County. Sheriff is in the process of migrating numerous legacy systems and improving processes to better defend against and prepare for any future cyber-attacks.

Sheriff has verified that there are no concerns that must be addressed with respect to contractor's ownership/name, litigation status or conflicts with County interests.

Sheriff requests approval of Amendment Number One to the subordinate contract effective upon Board approval through April 30, 2026, not to exceed amount of \$2,378,530, as noted in the Recommended Action. This contract is submitted for Board approval less than 30 days prior to the start of the contract due to extended negotiations. This contract does not include subcontractors or pass through to other providers. See Attachment C for Contract Summary. The Orange County Preference Policy is not applicable to this subordinate contract amendment.

FINANCIAL IMPACT:

Appropriations for the contract are included in Sheriff-Coroner's Budget Control 060 FY 2023-24 Budget and will be included in the budgeting process for future years. The contract contains language allowing the Sheriff-Coroner Department to terminate the contract without penalty with cause or after 30 days of written notice without cause in the event that funding is reduced and/or not available to continue funding the contract.

STAFFING IMPACT:

N/A

ATTACHMENT(S):

Attachment A – Amendment Number One to Contract MA-060-23010500

Attachment B – Redline of the Original Contract

Attachment C – Contract Summary Form