



Agenda Action Form Overview

The Board is requested to authorize the County Manager to amend an existing service contract with Buddi US, LLC to provide electronic monitoring services for individuals assigned to Durham County Pretrial Services in Fiscal Year 2020-21. The amendment will increase the contract amount from \$120,450 to not to exceed \$165,000. The additional funding for this contract was included in the approved FY 20-21 budget for the Criminal Justice Resource Center.

Background/Justification

Durham County Government established a Pretrial Services Program in 2006. The overall goal of the program is to create a systematic approach for recommending release and community supervision for defendants who do not pose a risk to the community as they await trial. The program strives to provide complete and accurate information to judges, improve the release and detention decision, actively supervise defendants released pre-trial, ensure that agency-mandated conditions and court-ordered requirements are satisfied, and to maintain the integrity of the judicial process while promoting public safety.

One essential component of the program is an electronic monitoring module for court identified criminal defendants who are on release from the Durham County Detention Facility as an alternative to detention. Offenders are assigned to electronic monitoring by a judge or by delegated authority of a magistrate or clerk of court and may also be required to attend programs in the community. The utilization of electronic monitoring devices has steadily increased over the past two years. In FY19, the lowest number of units in use was 45 units and the highest was 71 units, with a twelve-month average use of 62 devices. The monthly average for FY20 was 59 units.

Durham County Purchasing Division issued a Request for Proposals for Electronic Monitoring Services (RFP 19-023) in February 2019. After a comprehensive review process, the Selection Committee recommended Buddi US, LLC as the preferred vendor. The FY21 contract held the cost at \$6.00 per unit per day and the program's capacity at 55 devices, with an option to add additional units as needed. More information about Buddi US, LLC can be found at www.buddi.us.

Since July 2020, we have continuously exceeded the anticipated utilization. Due to COVID-19, Durham County Courts have made a concerted effort to reduce the inmate population at the Durham County Detention Facility. As a result, we have seen an increase in the number of detainees released under pretrial supervision with added electronic monitoring conditions. Most of the individuals have been charged with higher level crimes.

Additionally, because of the reduced capacity in the Courts and the reduction in court scheduling, defendants remain on supervision well beyond previous timeframes while awaiting trial, resulting in an increased number of defendants supervised for long periods of time. From July 2020 through December 2020, Pretrial Services electronically monitored an average of 80 clients throughout the month with the highest being 89 in September and the lowest 73 in December.

Policy Impact

The agenda item is consistent with the Board of County Commissioners support for the Criminal Justice Resource Center's Pretrial Services Program and Goal 3 of the Strategic Plan. The



electronic monitoring component provides an increased emphasis on community safety and contributes to a reduction in detention costs to the County for defendants who may be awaiting case disposition for an extended period of time.

Procurement Background

Type of purchase

- ☐ Goods
- ☒ Services
- ☐ Architect, Engineer or Surveyor Services
- ☐ Construction and Repair

Did this request for purchase go through a bid process? Yes ☒ No ☐

Goods: Bids required if $\geq \$30,000$, BOCC approval if $\geq \$90,000$

Services: Bids required if $\geq \$30,000$, BOCC approval if $> \$40,000$

Construction/Repair work: Bids required if $\geq \$30,000$, BOCC approval if $\geq \$500,000$

If yes, attach a copy of bid tab and the minority and women business enterprise (MWBE) compliance review form provided by the Purchasing Division.

If no, why?

- ☐ Sole source exemption
- ☐ Cooperative purchasing program exemption
- ☐ State and federal contract exemption
- ☐ Contract is an amendment to an existing contract
- ☐ Other (please explain)

If exempted from bidding, has this request been reviewed and approved by the Purchasing Division in the agenda Legistar system? Yes ☐ No ☐

If no, why?

Fiscal Impact

Similar contracts for electronic monitoring services have been included in the Criminal Justice Resource Center's budget for Pretrial Services since 2006. For the past few years the demand for electronic monitoring units has remained strong due to court ordered releases as electronic monitoring has proven to be a key element of supervision. The additional amount is available in CJRC's approved FY21 budget.



Recommendation

The County Manager recommends that the Board of County Commissioners authorize the County Manager to amend the existing service contract with Buddi US, LLC increasing the current amount of \$120,450 to not to exceed \$165,000.