

**COUNTY OF SACRAMENTO  
CALIFORNIA**

For the Agenda of:  
August 6, 2019

To: Board of Supervisors

Through: Navdeep S. Gill, County Executive

From: Scott R. Jones, Sheriff, Sheriff's Office

Subject: Approval Of Contract Award With REDFLEX Traffic Systems, Inc. For Provision Of A Red Light Photo Enforcement System For A Two-Year Term In The Amount Of \$1,797,000, Effective Upon Execution, And Authorization To Execute A Memorandum Of Understanding With The City Of Sacramento For Operation And Management Of The Red Light Photo Enforcement System Within The Incorporated Limits Of The City Of Sacramento For A Two-Year Period Effective Upon Execution

District(s): All

**RECOMMENDED ACTIONS**

Adopt the attached Resolution authorizing:

1. The Purchasing Agent, or designee, to award a contract for the provision of a red light photo enforcement system to REDFLEX Traffic Systems, Inc.
2. The Purchasing Agent, or designee, to negotiate and execute a contract with REDFLEX Traffic Systems, Inc. for the provision of a red light photo enforcement system for a two-year term in the amount of \$1,797,000, effective upon the date of execution, with the option to renew the agreement for up to four additional one-year periods, with each optional renewal period having a maximum amount payable of \$868,500, and to take other actions necessary to uphold the agreement including any necessary changes, modifications, amendments, or termination.
3. The Sheriff, or his designee, to execute a Memorandum of Understanding (MOU) with the City of Sacramento (CITY) for operation and management of a red light photo enforcement system within the incorporated limits of the CITY for a two-year period effective upon execution of the MOU, with the option to renew the MOU for four one-year periods for a total of six years including any necessary changes, modifications, or amendments.

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## **BACKGROUND**

On September 19, 2000, the Board authorized the Sacramento Sheriff's Office (SSO) to implement Sacramento County's Red Light Photo Enforcement Program (RLPEP). On July 29, 2003, the Board authorized a contract with Affiliated Computer Services, Inc. for installation and maintenance of a red light photo enforcement system (Resolution 2003-0886). On August 26, 2003, the Board authorized an MOU with the CITY to manage the RLPEP within the CITY boundaries (Resolution 2003-0989). On December 16, 2008, the Board authorized a contract with Redflex Traffic Systems, Inc. (REDFLEX) for installation and maintenance of a red light photo enforcement system (Resolution 2008-1286). On December 16, 2008, the Board authorized an MOU with the CITY to continue to manage the RLPEP within the CITY boundaries (Resolution 2008-0940). On December 10, 2013, the Board authorized the SSO to continue the agreement with REDFLEX for the red light photo enforcement system and the MOU with the CITY (Resolution No. 2013-0850).

Prior to the expiration of the agreement with REDFLEX (December 31, 2018), the SSO, in conjunction with County Purchasing, issued Request for Proposal (RFP) #8494. Three vendors responded to the RFP. CONDUENT State and Local Solutions, Inc. (CONDUENT), received the highest score and was recommended for the agreement. On December 11, 2018, the Board authorized execution of a contract with CONDUENT for the provision of a red light photo enforcement system (Resolution 2018-0908). Contract #WA00037700 was signed and became effective January 1, 2019.

As a part of the RFP process, CONDUENT provided the SSO with a proposed implementation timeline. The timeline included a start date of March 29, 2019, for the first intersection. The remaining intersections would begin shortly thereafter. A final list of the intersections to be equipped for photo enforcement was provided to CONDUENT on February 11, 2019.

As of April 17, 2019, no intersections had been made operational as photo enforcement sites. The necessary permits submitted by CONDUENT to the CITY were determined to be incomplete by the CITY. The permits were returned to CONDUENT for corrections and resubmission, however, CONDUENT failed to resubmit the permits.

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After several discussions related to contractor non-performance (CONDUENT's failure to meet their contractual obligations), it was determined a Notice of Termination of Contract was warranted (Contract WA00037700, Page 13, Section XXXIII Termination).

On Monday, April 22, 2019, CONDUENT was sent and received a "Notice of Termination of Contract WA00037700". CONDUENT responded in writing to the Notice of Termination on Tuesday April 23, 2019, requesting a meeting to discuss the Notice of Termination. On May 6, 2019, an in-person meeting with CONDUENT was held in order to try and resolve the non-performance issues. In attendance were several CONDUENT representatives as well as several County stakeholders.

Between April 3, 2019, and May 7, 2019, CONDUENT submitted several new timelines each pushing the start dates well past the original start date. On May 15, 2019, due to CONDUENT's continued non-performance of their contractual obligations, the County issued CONDUENT an affirmation of the Termination Letter previously sent on April 22, 2019.

The contract with REDFLEX expired on December 31, 2018. The photo enforcement system has been non-functional since the expiration of this agreement.

Authorization is requested for the County Purchasing Agent (or his designee) to execute a new contract with REDFLEX (as the second highest scoring vendor from RFP #8494) to provide for the installation, upgrade, and maintenance of a comprehensive and integrated red light photo enforcement system. Authorization is also requested for the SSO to execute an updated MOU with the CITY for operation and management of the RLPEP within the incorporated limits of the CITY.

The RLPEP consists of several components. First, a contractor provides the necessary cameras, sensors, and computer systems to capture and process photographic evidence of red light runners (the red light photo enforcement system). The contractor also installs and maintains the red light photo enforcement system and ensures that the system operates within required parameters, and provides certain statistical reporting. Second, the SSO contracts with the California Highway Patrol for enforcement activities, including review of video evidence, citation issuance, providing court testimony, and also conducting field checks on red light camera equipment.

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Third, SSO personnel also conduct enforcement activities in support of the program. Finally, the SSO operates and manages the RLPEP in the CITY pursuant to the MOU and receives the fine revenue from the red light citations issued within the CITY.

The purpose of the RLPEP is to reduce the number of collisions associated with red light runners through photo enforcement, thereby increasing public safety. This is done at intersections in both the CITY and the unincorporated areas of Sacramento County. At the photo-enforced intersections (currently 23 intersections with 25 enforcement sites) within the unincorporated area and CITY, there has been a significant reduction in red light-related crashes. The following table displays the number of collisions at each intersection in the RLPEP for the year prior to camera installation and the number of collisions reported at the same intersection for calendar year 2017.

<b>Intersections with Automated Enforcement System (** two Enforcement Systems at intersection)</b>	<b>Date of Installation</b>	<b>Collisions One Year Prior to Installation</b>	<b>Collisions Calendar Year 2017</b>
47th Ave and Martin Luther King Jr. Blvd	8/6/2009	31	8
Arden Way and Watt Avenue	8/20/2009	36	2
Broadway Blvd and 21st Street	11/27/2009	7	1
El Camino and Eastern	8/6/2010	18	2
El Camino Avenue and Evergreen Street	11/30/2009	8	1
Florin Rd and East Parkway	7/27/2010	24	0
Florin Road and Franklin Boulevard	11/30/2009	21	2
Fair Oaks Blvd and Howe Ave **	5/16/2010	18	1
Fair Oaks Blvd and Watt Ave **	8/6/2009	50	1
Howe Ave and Folsom Blvd	2/25/2010	22	0
Howe Avenue and Hurley Way	8/6/2009	40	1
Mack Road and Center Parkway	11/27/2009	13	0
Manzanita Ave and Cypress Ave	6/6/2010	10	4
Madison Ave and Date Ave	8/28/2009	32	1
Madison Avenue and Sunrise Blvd	8/28/2009	23	5
Mack Rd & Valley High Blvd	11/27/2009	23	0
Arden and Challenge	11/23/2010	12	0
I Street and 5th Street	11/23/2010	36	2
Alhambra & J St	5/22/2012	2	0
16th and W St	6/30/2012	5	1
Florin and Lindale	8/13/2011	8	1
Calvine and Hwy 99	5/30/2012	81	5
Don Julio and Elkhorn	12/29/2011	21	2

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<b>23 Total Intersections (25 Enforcement Sites)</b>		<b>541</b>	<b>40</b>
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**Procurement Process**

Request for Proposal (RFP) No. 8494 was released on May 31, 2018, by the Contract and Purchasing Services Division soliciting proposals for the red light photo enforcement system. The RFP was posted on the public purchase website [www.publicpurchase.com](http://www.publicpurchase.com). There are no known local businesses or State of California certified micro businesses that can provide these services.

Three proposals were received by the Contract and Purchasing Services Division on July 27, 2018. An evaluation team consisting of representatives from the California Highway Patrol (CHP) and SSO evaluated each vendor’s response to the written requirements presented in the RFP. A Senior Contract Services Officer reviewed the recommendation of the evaluation team and supported their recommendation. All decision makers, evaluation team members, and the person signing the agreement read, understood, and documented that they will comply with the County procurement code of ethics. All required forms are in the RFP/agreement file and/or personnel file.

Final scoring and proposal ranking by the evaluation committee resulted in the following:

Evaluation Criteria (percentage of weighted score)	Conduent	Redflex	Sensys
Qualifications and References (20%)	18.75	19.28	15.44
System Capabilities (20%)	19	11.4	7.4
Customer Service and Support (10%)	9.3	6.3	4.2
Pricing (25%)	21.79	25	13.22
Risk Assessment (5%)	4.95	4.65	4.9
Product Demonstration (20%)	19	11.4	7.4
Total Points (100%)	92.79	78.03	52.56
<b>Proposal Rank:</b>	<b>1</b>	<b>2</b>	<b>3</b>

Because the recommended contract exceeds \$1,000,000 and is for services, the Procurement Opportunities Program preference provision is not applicable.

Due to the termination of the purchasing contract with Conduent State & Local Solutions, Inc. (WA00037700), County Purchasing reached out to the next

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highest scored vendor, REDFLEX; they are willing to honor their original bid submitted on July 27, 2018. The new agreement with REDFLEX is not attached as the agreement is in the process of being finalized.

### **SECTION 71-J**

The requirements of 71-J are not applicable, as County staff have never in the past nor currently provide the services contained within the agreement with REDFLEX.

### **FINANCIAL ANALYSIS**

The maximum total annual cost of the contract with REDFLEX for the initial two-year term will be \$898,500 per year (\$1,797,000 over the two-year term), which is based on a fixed annual price of \$35,940 per enforcement site. This is less than the original agreement with Conduent. The estimate is based on the equipment installed at the existing 25 enforcement sites (25 enforcement sites x \$35,940 per year) for the first and second year. The contract will provide that, for each of the four optional renewal years, the annual cost per enforcement site will decrease each year. For the existing 25 enforcement sites, the maximum total payment to REDFLEX if all four optional renewal years are exercised is anticipated to be approximately \$5,134,200. The total contract authority provided for in the attached resolution is \$5,271,000 to allow for some variation in the rates in the optional renewal years.

Revenue from the red light citations helps support the cost of the RLPEP, including the contract with REDFLEX for red light photo enforcement equipment, California Highway Patrol (CHP) officers, SSO personnel, vehicles, and equipment. The impact on the General Fund and other county funds is dependent on the costs of the program and the revenue generated through the program.

Total revenue from the RLPEP cannot be determined precisely, so it must be estimated. Based on an average of the last three fiscal years (2015-16, 2016-17, and 2017-18) from data stored in the red light photo enforcement system, it is known that an approximate average of 16,800 citations will be filed annually with the court as a result of photographic evidence captured by the red light photo enforcement system. Approximately 2% of these (340 citations) will be dismissed by the court, leaving an approximate

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average of 16,460 citations to be further adjudicated in some manner annually.

It is not known what portion of citations is ever actually paid. The best available estimate is that 50% of citations are paid soon after being issued. Of the remaining 50%, some portion is paid at a later date, some portion is resolved by the courts allowing for an alternative to a fine (community service or traffic violator school), and some portion is never paid.

For every red light citation paid, the County General Fund receives a net amount of \$158.72 (after a portion of the county fine is distributed to the state per statute). County Special Purpose Funds (Jail Construction, Court Jail Construction, EMS, Fingerprint and DNA) receive a total of \$97.02 for each paid citation. Based on the revenue per citation listed above, 16,460 being adjudicated annually, and 50% being paid soon after issuance, the RLPEP generates annual revenue in the amount of approximately \$2,104,740 (\$1,306,266 for General Fund and \$798,475 for Special Funds).

Annual costs for the program include: the agreement with CHP (\$475,000) for enforcement services; the agreement with REDFLEX for the red light photo enforcement system (\$898,500); the SSO's personnel costs for the RLPEP (\$678,000), and the cost of program equipment and vehicles (\$289,000). Together, the annual costs of the program is \$2,340,500.

The annual estimated revenue from citations and the annual costs associated with the RLPEP are summarized in the table below:

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**Red Light Photo Enforcement Program -- Summary of Annual Fiscal Impact**

**Estimated Annual Revenue**

Average Annual Citations To Be Resolved	16,460
Percentage Of Citations Paid soon after Issuance	50%
Citations paid soon after issuance	8,230
General Fund Revenue (\$158.72 per County citation)	1,306,266
Special Purpose Fund Revenue (\$97.02 per paid citation)	798,475
<b>Estimated Total Annual Revenue</b>	<b>2,104,741</b>

**Annual Costs**

Agreement with California Highway Patrol	475,000
Agreement with Redflex Traffic Systems, Inc.	898,500
Sheriff Department Personnel	678,000
Equipment and Vehicles	289,000
<b>Total Annual Costs</b>	<b>2,340,500</b>

<b>Estimated Annual Deficit (Net County Cost)</b>	<b>235,759</b>
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An unknown portion of the RLPEP fines that are not paid soon after issuance will be collected at a later date, increasing revenue to the County.

The RLPEP achieves a significant increase in public safety by reducing the number of collisions at photo-enforced intersections. Achieving an equivalent reduction in collisions through enforcement by patrol would be cost prohibitive.

Attachments: Resolution  
ATT 1 - MOU City of Sacramento