



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: John Stufflebean

SUBJECT: SEE BELOW

DATE: 05-27-08

Approved

Date

5-27-08

COUNCIL DISTRICT: City-Wide

SUBJECT: THIRD AMENDMENT TO THE AGREEMENT WITH ENFOTECH & CONSULTING, INC. FOR THE ENVIRONMENTAL ENFORCEMENT DATA MANAGEMENT SYSTEM

RECOMMENDATION

Approval of a third amendment to the agreement with enfoTech & Consulting, Inc. to extend the term of agreement by twenty-five months from December 31, 2007 to January 31, 2010 for the development and implementation of the Environmental Enforcement Data Management System at no additional cost to the City.

OUTCOME

Approval of the third amendment will provide the ability to exercise two one-year options for maintenance of the Environmental Enforcement Data Management System. Additionally, extending the term of the agreement provides for continued access to the Change Order provisions of the original agreement.

BACKGROUND

The Office of the City Auditor completed program reviews of the Stormwater Inspection Program in 2000 and the Pretreatment Program in 2001, both operated by the Environmental Services Department (ESD). The audits found that the data tracking systems in use at the time to be insufficient to successfully manage the thousands of businesses regulated by one or both programs, along with the associated inspections and sampling analyses. As a result, ESD initiated efforts to obtain a more robust data management system.

On April 15, 2003, the Council approved an agreement with enfoTech & Consulting, Inc. (enfoTech) to implement the Environmental Enforcement Data Management System (EEDMS) database project. The purpose of the EEDMS is to improve the efficiency, program integration, administration, and reporting capability of both the Stormwater and the Pretreatment Inspection Programs. Full implementation, testing and acceptance of the EEDMS system was anticipated to take 12 months followed by a 12 month maintenance period for a total contract term of 24 months. A major aspect of the work included implementation of a commercial-off-the-shelf program (PACS 2000) in addition to the development of several custom program modules. In the first amendment to the agreement, the Director of Environmental Services Department was authorized to approve two one-year maintenance plans at a cost of \$35,710 per additional year or a total of \$71,420 for the maintenance plans.

The core of the PACS system was implemented in November 2003 and has been in use by the Environmental Enforcement program staff for more than four years. However, additional development work on the custom modules with complex functionality proved to be more time consuming than originally anticipated. On September 26, 2006, the Council approved a second amendment to the original Agreement with enfoTech to extend the term of the agreement through December 31, 2007, giving project staff adequate time for full testing and acceptance of the final system.

ANALYSIS

In December 2006, enfoTech completed design and development of the custom modules. The City completed system testing and officially accepted the data management system on January 31, 2007. Some of the new and advanced features of the EEDMS include:

- Reporting and supervisory tools to improve report generation and work efficiency
- Work management tools to efficiently schedule and manage inspections
- Permitting module to better track, generate, and manage permit issuance
- Handheld field devices to facilitate data collection and inspection report generation
- Self-monitoring report module to manage submittals from industrial users, flag violations, and generate timely enforcement letters
- Automated generation of annual report data for both stormwater and pretreatment programs
- Advanced functions for performing compliance checks

As with all complex data management systems, system bugs and errors occur from time to time. Since February 1, 2007, the consultant has been providing support in accordance with the first year maintenance plan, including:

- Fixes and corrections of all defects found by the City or consultant
- Providing product upgrades and enhancements to the system
- Troubleshooting and assistance as requested by the City
- Continuing support of technology transfer capability for City staff
- Unlimited access to consultant staff for questions, problem resolution, and information
- Onsite support, as requested by City

To ensure the continued success and ongoing functionality of the EEDMS, it is recommended that the City utilize the maintenance plan options set forth in the agreement. In order to exercise the options for the two additional one-year maintenance plans at this time, the term of the agreement must be extended and the performance schedule amended accordingly. Additionally, extending the term of the agreement allows the City to further refine system functionality through the Change Order provision as specified in the original agreement. If the recommendation is not approved, the City could not exercise the maintenance plan options and would no longer have access to the enfoTech project team's expertise and support for the key services identified above.

EVALUATION AND FOLLOW-UP

The project extension will cover the remaining database maintenance periods that will include all needed updates. It will also cover any additional work and upgrades. No additional follow-up actions with the Council are expected at this time.

POLICY ALTERNATIVES

Alternative #1: Do not extend the term of the agreement.

Pros: This is a no cost, time only extension to the agreement and there are no benefits to the City of not amending the agreement at this time.

Cons: If this agreement is not extended, staff would not have access to the enfoTech project team's expertise to fix identified system bugs and issues.

Reason for not recommending: On-going maintenance support for the first three years of database operation was included in the scoping of the project and needed to facilitate transfer of system design and development expertise to City staff.

PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

A competitive Request for Proposals process for the EEDMS was completed in Fall 2002. The RFP was posted on the City's website and advertised in the San José Mercury News. The agreement was brought before TAC and TPAC, and the San Francisco Bay Regional Water Quality Control Board and WPA were made aware of our intention to replace our old database.

COORDINATION

This memo was coordinated with the City Attorney's Office, and is scheduled to be heard at the June 12, 2008 Treatment Plant Advisory Committee meeting.

COST SUMMARY/IMPLICATIONS

This recommendation is for a time-only extension of the agreement at no additional costs to the City.

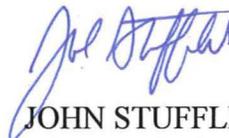
On March 25, 2003, the Council approved an agreement with enfoTech & Consulting, Inc. in the amount of \$1,063,399 and authorized the Director of Environmental Services to negotiate and execute contract change orders for a total project cost not to exceed \$1,169,399. On April 26, 2005 the agreement was amended to authorize the Director of Environmental Services to approve two (2) one year maintenance plans at a cost of \$35,710 per additional year or a total of \$71,420 for the two years support.

BUDGET REFERENCE

The original agreement was awarded and the funding was encumbered in a prior fiscal year. No additional allocation is required at this time.

CEQA

Not a project.



JOHN STUFFLEBEAN
Director, Environmental Services

For questions please contact Elaine Marshall, Environmental Services Program Manager, at (408) 277-5697.