

RESOLUTION

No. 2018-498

By Commissioner Haidous

RESOLVED, by the Wayne County Commission this 12th day of July, 2018 that approval be, and is hereby, granted authorizing retroactive Modification No. 4 to a two-year, professional services, revenue-generating contract with a one-year option to renew between the Charter County of Wayne and Securus Technologies, Inc. (of Carrollton, TX) for an amount not to exceed \$3,658,347 to extend the term of the contract to provide the Inmate Telephone System, including the installation, operation, maintenance, support and all necessary equipment and software, as recommended by the Chief Executive Officer; and be it further

RESOLVED, that Modification No. 4 increases the total contract amount from \$4,253,000 to \$7,911,347; Modification No. 4 extends the term of the contract from August 26, 2016 to March 31, 2018; and the revenue from the agreement will continue to be deposited into Account No. 575 35103 961000 (Inmate Programs); and be it further

RESOLVED, that performance on this contract was performed prior to Commission approval in violation of Section 120-50 of the Wayne County Procurement Ordinance (Ordinance No. 2006-1101, as amended) and Section 5.143 of the Home Rule Charter for the County of Wayne; and be it further

RESOLVED, that the Wayne County Commission calls for the County Executive to determine if the County incurred damages as a result of premature performance in violation of the Procurement Ordinance and if damages were incurred to institute a civil action pursuant to the Procurement Ordinance; and be it further

RESOLVED, that the County Executive, in conjunction with the Department of Corporation Counsel, shall report to the Commission on this matter within 90 days; and be it further

RESOLVED, that the Chief Executive Officer be, and is hereby, duly authorized to execute the aforementioned modification on behalf of the Charter County of Wayne.

[Modification on File]

(2013-71-024M4)

**MODIFICATION #4 BETWEEN
THE COUNTY OF WAYNE AND SECURUS TECHNOLOGIES**

THIS MODIFICATION is between the County of Wayne, Michigan, a body corporate and Charter County acting through the Wayne County Sheriff's Office ("County") and Securus Technologies, a Delaware corporation (Contractor) and modifies Contract (2013-71-024) approved by the Wayne County Commission on September 19, 2013 by Resolution No. 2013-616; Modification #1 (2013-71-024M1) approved by the Commission on April 3, 2014 by Resolution No. 2014-193; Modification #2 (2013-71-024M2) approved by the Commission June 19, 2014 by Resolution No. 2014-356; and Modification #3 (2013-71-024M3) approved by the Commission April 16, 2015 by Resolution No. 2015-167.

1. The parties entered a contract wherein the Contractor provided an inmate telephone system for the Wayne County Sheriff's Office Jails and Lock-up facilities. The County and Contractor desire to extend the term of the contract for nineteen (19) additional months and increase the contract amount from \$4,253,000 to \$7,911,347, upon the terms set forth herein.
2. Section 8.01 is modified from:

This contract is effective from the date it is approved by resolution of the Wayne County Commission subsequent to being accepted by the parties and shall end on August 25, 2016. No change in terms and conditions shall be permitted during the extension unless specifically set forth in this Contract.

to:

This contract is effective from the date it is approved by resolution of the Wayne County Commission subsequent to being accepted by the parties and shall end on March 31, 2018. No change in terms and conditions shall be permitted during the extension unless specifically set forth in this Contract.

3. No change in terms and conditions shall be permitted during the extension unless specifically set forth in this Contract.
4. All other terms and conditions in the Contract shall remain in full force and effect.
5. This modification is subject to the County's policies regarding modification of contracts.
6. This modification shall become a part of the Contract between the parties and shall become effective upon execution by the County Executive and approval of the County Commission.

SECURUS TECHNOLOGIES, INC.

By: [Signature]
ROBERT PICKENS
Its: PRESIDENT

COUNTY OF WAYNE

By: [Signature]
WARREN EVANS
Its: COUNTY EXECUTIVE

WAYNE COUNTY SHERIFF'S OFFICE

By: [Signature]
BENNY N. NAPOLBON
Its: SHERIFF



APPROVED AS TO FORM

By: [Signature] 3/12/2018
DEPT. OF CORPORATION COUNSEL

316675
Rev3/7/2018