



# Probation

## COUNTY OF TULARE

### AGENDA ITEM

#### BOARD OF SUPERVISORS

LARRY MICARI  
District One

PETE VANDER POEL  
District Two

AMY SHUKLIAN  
District Three

EDDIE VALERO  
District Four

DENNIS TOWNSEND  
District Five

**AGENDA DATE:** April 1, 2025 - REVISED

Public Hearing Required	N/A
Scheduled Public Hearing w/Clerk	N/A
Published Notice Required	N/A
Advertised Published Notice	N/A
Meet & Confer Required	N/A
Budget Transfer (Aud 308) attached	N/A
Personnel Resolution attached	N/A
Agreement(s) attached	Yes

CONTACT PERSON: Gina Rizza PHONE: 559-608-9236

**SUBJECT:** Approve an amendment to Agreement No. 31884 with BI Incorporated

**REQUEST(S):**

That the Board of Supervisors:

1. Approve an Amendment to Agreement No. 31884 with BI Incorporated for electronic monitoring services for adult probationers for an additional \$300,000, increasing the agreement from \$1,000,000 to \$1,300,000, effective April 1, 2025, through June 30, 2025; and
2. Authorize the Chair to sign the Agreement.

**SUMMARY:**

The County of Tulare and BI Incorporated entered into Agreement No. 31884 on September 10, 2024, for electronic monitoring services for adult probationers. Through BI Incorporated, the electronic monitoring program allows qualified offenders to live with and care for their families, remain in school, and/or maintain employment while serving custody time outside of a jail facility. The current agreement expires on June 30, 2025. Both parties now desire to amend Agreement No. 31884 to increase the maximum dollar amount of the agreement by \$300,000 to a total amount not to exceed \$1,300,000. An increase in the maximum amount is necessary due to an increase in clients receiving services.

The original agreement was approved as to form by County Counsel on August 21, 2024, and approved by the Board of Supervisors on September 10, 2024. The substantive deviations from the standard County boilerplate identified in the prior agenda item were: (1) mutual indemnification; (2) sixty (60) termination notice; (3) governed by and construed in accordance with the laws of the State of Florida; (4) disputes resolved by arbitration in Denver, Colorado, in accordance with the rules and procedures of the American Arbitration Association; and (5) a limitation of liability clause which limits BI's

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liability to actual damages for injury relating to the providing performance, or use of the service or equipment under this agreement which prevents the County from obtaining special, incidental, or consequential damages arising from the provision of services, performance or use of the service or equipment. Actual cost damages, however, can be recovered. The proposed amendment to the agreement does not include any additional deviations from the standard County boilerplate.

The only change to the original agreement, as amended to date, is a change in the dollar amount of the agreement. The price for services has not changed.

**FISCAL IMPACT/FINANCING:**

For Fiscal Year 2024/25, the total cost of the agreement is in an amount not to exceed \$1,300,000. The costs associated with this agreement will be paid for by revenues from the Community Corrections Subaccount (Assembly Bill 109). Costs associated with electronic monitoring services are included in the Probation Department's approved department budget for Fiscal Year 2024-25. There is no net County cost to the General Fund.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The County's five-year strategic business plan includes the Safety and Security initiative. The Public Safety Realignment Act and the electronic monitoring program support the goal of promoting personal responsibility and public safety. The approval of this amendment enables the Probation Department to provide electronic monitoring services to nonviolent, low-to-medium-risk adult offenders.

**ADMINISTRATIVE SIGN-OFF:**

/s/ Jose Gonzalez for K.V.

Jose Gonzalez

Chief Probation Officer

Cc: County Administrative Office

Attachments: Amendment