

1 [Contract Amendment - Global Tel*Link - Inmate Telephone Services]

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3 **Resolution retroactively authorizing the Sheriff’s Department to enter into a fourth**
4 **amendment to the existing month-to-month contract with Global Tel*Link for inmate**
5 **telephone services to reduce the calling rates and fees for inmate telephone calls per**
6 **Federal Communications Commission Regulation, to modify the commission paid to**
7 **the Sheriff’s Department, which will result in an anticipated revenue to the Inmate**
8 **Welfare Fund of \$34,000 per month.**

9
10 WHEREAS, City Charter, Section 9.118 “Contract and Lease Limitations”, Subsection
11 (a) requires that the amendment of any contract which when entered into had anticipated
12 revenue of \$1,000,000 dollars or more, shall be subject to approval of the Board of
13 Supervisors by resolution; and

14 WHEREAS, The Sheriff’s Department has an Inmate Welfare Fund, as provided by in
15 California Penal Code Section 5000-5030.1; and

16 WHEREAS, The original Global Tel*Link (GTL) contract term is June 1, 2010, to May
17 31, 2013, with two one-year options to extend the term; and

18 WHEREAS, The Sheriff’s Department exercised two one-year options and an option to
19 extend term for five (5) additional months and amended the GTL contract to extend the term
20 to October 31, 2015; and

21 WHEREAS, On October 29, 2015, the Sheriff’s Department exercised a month-to-
22 month contract option to extend the term to ensure uninterrupted inmate telephone service
23 during the inmate telephone contract negotiations and transition, if any, to a new telephone
24 provider; and

1 WHEREAS, On July 9, 2014, the Federal Communications Commission (“FCC”)
2 held a workshop for reform of inmate interstate calling rates and indicated its intent to
3 enact reform of inmate calling rates; and

4 WHEREAS, On November 5, 2015, the FCC released an order to reform inmate
5 calling rates and fees; and

6 WHEREAS, On March 7, 2016, the U.S. Court of Appeals for the District of
7 Columbia Circuit stayed implementation of portions of the FCC’s November 5, 2015,
8 Order for new, lower rate caps, and a related rule limiting fees for certain single call
9 services; and

10 WHEREAS, The U.S. Court of Appeals for the District of Columbia Circuit declined
11 to delay the implementation of the FCC’s November 5, 2015, Order regarding ancillary
12 fees, surcharge fees, and flat rate calling rates; and

13 WHEREAS, The FCC’s November 5, 2015, Order required jails to implement debit/pre-
14 paid and collect calling rate caps of \$0.21 and \$0.25 respectively and remove surcharge fees;

15 WHEREAS, To comply with the FCC’s November 5, 2015, Order, the Sheriff’s
16 Department desires to amend the GTL contract to adjust inmate call charge rates for
17 Collect, Pre-Paid Collect, and Pre-Paid Cards to \$0.14 per minute for Local calls and
18 \$0.18 per minute for Intralata, Interlata, and Interstate calls, eliminate all surcharges
19 charged to inmates and end-users for GTL to initiate the inmate telephone call, and
20 reduce the pre-paid collect fees; and

21 WHEREAS, The Sheriff’s Department desires to amend the GTL contract to
22 require that GTL pay to the Sheriff’s Department a monthly tiered Commission Rate
23 structure based on the Gross Revenue generated; and

24 WHEREAS, The Sheriff’s Department deferred finalizing Request for Proposals
25 SHF2015-01 for Inmate Telephone Service Provider, from July 2014, to June 2016, in

1 order to incorporate the FCC November 5, 2015, ruling regarding inmate telephone rates;
2 and

3 WHEREAS, The projected completion date for RFP SHF2015-01 and the
4 Contracting process is October 31, 2016; and

5 WHEREAS, The Sheriff's Department desires to implement a new Inmate
6 Telephone Service Provider seamlessly without disruption to inmate services; and

7 WHEREAS, The original contract agreement is on file with the Clerk of the Board
8 of Supervisors in File No. 100442, Resolution No. 225-10, which is hereby declared to be
9 part of this resolution as if set forth fully herein; and

10 WHEREAS, The First Amendment agreement is on file with the Clerk of the Board
11 of Supervisors in File No. 130801, Resolution No. 438-13, which is hereby declared to be
12 part of this resolution as if set forth fully herein; and

13 WHEREAS, The Second Amendment agreement is on file with the Clerk of the
14 Board of Supervisors in File No. 140582, Resolution No. 217-14, which is hereby
15 declared to be part of this resolution as if set forth fully herein; and

16 WHEREAS, The Third Amendment agreement is on file with the Clerk of the Board
17 of Supervisors in File No. 150070, Resolution No. 60-15, dated March 03, 2015, which is
18 hereby declared to be part of this resolution as if set forth fully herein;

19 WHEREAS, The Fourth Amendment agreement is on file with the Clerk of the
20 Board of Supervisors in File No. 160982, which is hereby declared to be part of this
21 resolution as if set forth fully herein; now, therefore, be it

22 RESOLVED, That the Board of Supervisors hereby approves the Inmate
23 Telephone Services Fourth Amendment by and between GTL, and the City and County of
24 San Francisco, acting by and through its Sheriff's Department.

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