THE BOARD	OF SUPERVISORS OF THE COUN ACTION AGENØA SUMMA	
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DEPT: Clerk-Recorder	D Kadula	BOARD AGENDA # <u>*B-1</u>
Urgent R	outine	AGENDA DATE March 10, 2009
CEO Concurs with Recomme		4/5 Vote Required YES 🔀 NO 🦳
	(Information Attached)	

SUBJECT:

Approval to Authorize the Sole Source Procurement of a Social Security Number Truncation System for the Clerk-Recorder Using the Vendor AtPac

STAFF RECOMMENDATIONS:

- 1. Authorize the Clerk-Recorder to procure the Social Security Number (SSN) Truncation System with a sole source procurement.
- 2. Authorize the Clerk-Recorder to negotiate, award and execute contracts and authorize GSA-Purchasing to issue purchase orders to implement the SSN Truncation Programs.
- 3. Direct the Auditor-Controller to establish a Fiscal Year 2008-2009 Expenditure Budget for the SSN Truncation Program based on the Budget Journal attached.

FISCAL IMPACT:

On January 1, 2009 new legislation requiring the truncation of the first 5-digits of Social Security Numbers became effective. Stanislaus County is currently charging \$1 per recorded document to support this mandate. Affected documents include historic documents from 1980 to present and all future recorded documents.

The total estimated cost for Stanislaus County to install and operate the truncation system for FY 2008-2009 is \$280,000.

BOARD ACTION AS FOLLOWS:

No. 2009-150

	of Supervisor ed by the follow			, Seconded by Supervisor	Grover
Ayes: Supe	rvisors:		<u>Chiesa, Grover, Monteit</u>	h, and Chairman DeMartini	
Noes: Supe	rvisors:		None		
Excused or	Absent: Superv	visors:	Mono		
Abstaining:	Supervisor:		Mono		
1) <u>X</u>	Approved as re	commer		,	
2)	Denied				
3)	Approved as an	nended			
4)	Other:				
MOTION:					

ATTEST:

CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval to Authorize the Sole Source Procurement of a Social Security Number Truncation System for the Clerk-Recorder Using the Vendor AtPac Page 2

FISCAL IMPACT: (continued)

The estimated cost for Stanislaus County to purchase and install the truncation software, software customization and software licensing is \$250,000.

The estimated cost for Stanislaus County Clerk-Recorder staff to operate the system for the remainder of FY 2008-2009 is \$30,000.

It is recommended the funding sources to meet this \$280,000 expenditure include an estimated \$115,000 generated in FY 2008-2009 from The Social Security Number Truncation Program and that \$165,000 be advanced from the Clerk-Recorder Fixed Asset Acquisition Fund for the costs associated with this mandate.

It is recommended that funding for future staff costs, annual software licensing agreements and reimbursement of the \$165,000 to the Clerk-Recorder Fixed Asset Acquisition Fund be obtained from revenue as it is generated by the Stanislaus County Social Security Number Truncation Program.

There is no additional cost to the General Fund associated with this item.

DISCUSSION:

The Clerk-Recorder Department is charged with maintaining Records of land transactions, birth, death, marriage and other records for the County. California Government Code 27300 – 27307 recognizes the need for government to act to protect individual members of the public from identity theft. Many documents are recorded or filed with the County-Recorder that contain social security numbers. The County Recorder has the responsibility and authority to truncate social security numbers to display only the last four digits on official records recorded during the time period from January 1, 1980 to the present and into the future.

On April 22, 2008 the Stanislaus County Board of Supervisors approved board item number 2008-293 authorizing the Clerk-Recorder Department, among other actions, to implement and issue a Request for Proposal (RFP) to procure truncation computer software system which now requires approval as a sole source procurement. The Clerk-Recorder Department proposes to enter into a sole source agreement with existing County software vendor AtPac and to take all action to procure including select, adapt, negotiate, purchase, pay for and implement the required Social Security Number Truncation software system.

Specialized software is required to identify, highlight, verify, and mask each unique SSN identifier. SSN Truncation System integration requires a product that will seamlessly integrate with the County's current CRiis software application developed by AtPac. As the RFP was being developed to purchase this new truncation software system, it was

Approval to Authorize the Sole Source Procurement of a Social Security Number Truncation System for the Clerk-Recorder Using the Vendor AtPac Page 3

determined by the Clerk-Recorder Department and GSA-Purchasing that the only product that integrates with the current Stanislaus County Clerk- Recorder CRiis application is the ID Shield truncation module, manufactured by AtPac. Although it was found that other manufacturers produce a truncation product, they are not integrated with the CRiis software and thus pose risks to the integrity of the records maintained by the Clerk Recorder Department.

Concurrent with approval from the Board of Supervisors, the Clerk-Recorder Department will proceed to purchase the SSN Truncation Program by issuing a sole source procurement for the truncation software system through the existing software vendor, AtPac. This contract includes:

Product/Service	Cost
Rule Set Development, 1980 to 2008	\$4,000
Truncation Fee, 1980 to June 2008	\$230,000
Rule Set Development, 2009	\$4,000
Truncation Fee, FY 2008-2009	\$12,000
Verification Labor	\$30,000
Total Cost, FY 2008-2009	\$280,000

POLICY ISSUES:

The Board of Supervisors is asked to determine if the recommendations are consistent with the Board Priority of efficient delivery of public services.

STAFFING IMPACTS:

There is no additional staffing impact associated with this request. It is anticipated that the SSN Truncation Program can be accomplished with existing staff.

County of Stanislaus: Auditor-Controller Legal Budget Journal

Database Set of Books FMS11IDB.CO.STANISLAUS.CA.US.PROD County of Stanislaus

Balance Type			Budget	
Category	* List - T	ext	Budget - Upload	
Source	* List - T	ext		
Currency	* List - T	ext	USD	
Budget Name	List - T	ext	LEGAL BUDGET	
Batch Name	Т	ext		
Journal Name	т	ext	CR MRH 2-23-09	i
Journal Description	Т	ext	Social Security Number Truncation Budget	ľ
Journal Reference	т	ext		
Organization	List - T	ext	Stanislaus Budget Org	ł

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CRITERIA FOR SOLE SOURCE/SOLE BRAND

A. FACTORS WHICH MAY BE APPLICABLE

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Respond specifically to each question below in preparing a justification.

1. If the product requested is one-of-a-kind item, provide background information on how this was determined.

There are many Clerk-Recorder software vendors throughout the United States and seven or eight that specifically provide Clerk-Recorder software to California Counties. AtPac provides the CRiis[™] software which the Stanislaus County Clerk-Recorder has used since 1993. AtPac has assisted the County in configuring the hardware and software to ensure an efficient operation.

The Clerk-Recorder Department is required under Government Code Sections 27300-27307 to implement a program by January 1, 2009 to truncate the first five (5) characters of the Social Security Number (SSN) on all documents recorded since 1980.

Several software vendors provide social security number truncation and redaction software, however, only one, AtPac's ID Shield[™], provides an integrated solution that will work seamlessly with the CRiis[™] software. The ID Shield[™] SSN Truncation module is fully integrated and will work seamlessly with Clerk-Recorder Department programs. In addition, AtPac's experience with the Stanislaus Clerk-Recorder hardware and software configuration assures all systems will operate properly.

Steps required to implement a SSN Truncation Program include:

- 1. Convert the recorded document into a digital image.
- 2. Convert the digital image into text.
- 3. Identify and truncate the SSNs on a copy of the Official Record.
- 4. Verify document is properly truncated and create the Public Record.
- 5. Assure Official Record is confidential unless requested by court order or subpoena.

Steps two through five require close integration with the CRiis[™] and the ID Shield[™] products. No other products provide this close integration.

Step 1

This process converts the Official Record document into a digital image. The digital image is created by scanning the original document. This step occurs shortly after the document is recorded and is part of the normal recording process.

<u>Step 2</u>

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Convert the digital image into a text document by using an Optical Character Recognition (OCR) engine. The OCR engine process is computer intensive. AtPac's built-in proprietary OCR engine in CRiis[™] allows the output of the OCR engine to become the input to the ID Shield[™] software. Implementation of SSN Truncation software by vendors other than AtPac would require a stand-alone OCR engine and a separate computer server. SSN Truncation systems not built into the CRiis[™] system would require AtPac to provide an interface to the CRiis[™] system. Current CRiis[™] software does not have any interface identified or built into the software.

<u>Step 3</u>

The SSN Truncation software examines the text output of the OCR engine and identifies the location of a suspected SSN and makes a copy of the Official Record, the original document image. The truncation software then "grey's" out the first five characters of the SSN on the copy of the original record and passes the document on to the verification process. The copy that has SSN's identified becomes the draft Public Record.

Step 4

A staff member examines the draft Public Record to verify that the number identified is actually a SSN and that the truncation was applied correctly. If correct, the SSN Truncation software converts the grey shading to a permanent blackout on the copy of the Official Record, creating the final Public Record of the document. For each document that has an identified SSN, two records (a "public record" and an "official record") must be maintained.

<u>Step 5</u>

The final step in the process is for the SSN Truncation software (ID Shield[™]) and the Clerk-Recorder software (CRiis[™]) to work together to assure only the public record is displayed. California Government Code requires confidential retention of recorded documents containing social security numbers. These confidential records are only available by subpoena or court order. Only the truncated document (public record) can be displayed to the public. By having an integrated system, the CRiis[™] and the ID Shield[™] programs assure that the images are displayed correctly.

ID Shield[™] and CRiis[™] software are provided by the same vendor. If any software issue arises, it is critical that fast and accurate problem solving insure the Clerk-Recorder Department continues to operate. A single company providing this service allows swift and efficient resolution of any software issue. AtPac, providing both products, limits responsibility to a single source and assures that the entire Clerk-Recorder system operates efficiently.

2. Provide information on why a particular product and/or vendor was chosen.

AtPac was selected because of their quality service and products, and they provide the CRiis[™] software, successfully installed and in use by Stanislaus County since 1993. The integration of their SSN Truncation module, ID Shield[™], within CRiis[™] provides a solution that one vendor is able to make work seamlessly and properly in a complex environment. Complete and legally displayed Clerk-Recorder records are the primary concern of the Department. CRiis[™] software demands that complete integration and use of compatible software lessens the potential of failure and solidly assures single vendor responsibility for properly working system.

3. Provide information on other vendors that were contacted and why they cannot provide the requested product. Is the selected vendor also the manufacturer?

Many companies provide social security number truncation software. The companies that were contacted are: RecordFusion, Amcad, Aptitude Solutions, ACS, and SouthTech. These vendors' products are not integrated with the Clerk-Recorder software, CRiis™. Integration is the main issue with an application such as the SSN Truncation software due to the critical tasks the software must perform. The primary task is its ability to maintain both Official and Public Records and to assure that only the Public Record is displayed to the public. To accomplish this task, the truncation software must be integrated seamlessly and completely with the CRiis™ software, and it must work properly. AtPac was selected for these practical and critical reasons and because if there are any issues with the software, only one vendor need be contacted to resolve the issue.

AtPac is the vendor, designer and manufacturer of the software.

4. If unique features are required to successfully perform the required function, identify what those features are and why they are required. BE SPECIFIC.

Seamless integration within the Clerk-Recorder software application eliminating additional connections, costs and server are a primary desire and concern. The two applications must work seamlessly and completely together to accurately truncate SSNs from recorded documents and maintain accuracy within the Clerk-Recorder files by separately keeping track of both the Public and Official Records. The Government Code requires the SSNs be truncated from the Clerk-Recorder Official Records and that truncated version becomes the Public Record. Government Code also requires that only the Public Record can be displayed to the Public and the Official Record can only be viewed with a subpoena or court order. Without close knit integration, the Clerk-Recorder files cannot be assured of meeting these two provisions of the Government Code.

5. Provide information on other models available and why they were rejected. Provide brand name, model, vendor name, date and name of each person contacted.

The following companies were contacted to discuss their SSN Truncation products:Company NameName of ContactRecordsFusionBill WelgeAmCadLouise CookAppitude SolutionsPatty SandeverACSAdam MoteSouthTechAdam Mote

Each of these vendors was rejected because each would provide a stand-alone truncation system that would not integrate with the CRiis[™] System installed and in use in the Clerk-Recorder Department.

B. FACTORS WHICH DO NOT APPLY

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The following factors should not be included in your sole source/sole brand justification. They will not be considered and only tend to confuse the evaluation process.

- 1. Personal preference for a product of vendor.
- 2. Cost, vendor performance, local service, maintenance, and delivery (these are award factors in competitive bidding).
- 3. Features that exceed the minimum department requirements, e.g. heavy duty.
- 4. Explanation for the actual need and basic use for the equipment, unless the information relates to a request for "unique features."
- 5. The statement "no substitutions" will not be considered without completion of the "Justification for Sole Source/Sole Brand" form.

If you need assistance in completing this justification for sole source/sole brand form, please contact the Purchasing office at 525-6319.

COUNTY OF STANISLAUS JUSTIFICATION FOR SOLE SOURCE/SOLE BRAND

Requisition Num	ber: Dated:
Item: <u>Clerk-I</u>	Recorder Social Security Truncation System
Sole Source:	Item is available from only one vendor. Item is one-of-a-kind item and is not sold through distributors. Manufacturer is a sole distributor.

Sole Brand: Various Vendors can supply the specified model & brand, and competitive bids will be solicited for the brand requested only.

Refer to the instructions on the back of this form for required criteria before completion.

JUSTIFICATION: (Attach additional sheets, if necessary)

For the Clerk-Recorder Office to operate efficiently and to assure that the records maintained by the Office meet all requirements, it is necessary to purchase a system that will truncate the first five (5) digits of a social security number that is integrated with the Clerk-Recorder software, CRiis™. The only product that is integrated with the CRiis™ application, manufactured by AtPac, is the ID Shield™ truncation module, also provided by AtPac. Although other manufacturers produce a truncation product, they are not integrated with the CRiis™ software and thus pose risks to the integrity of the records maintained by the Clerk-Recorder Office. As a result of this, the Clerk-Recorder is requesting authorization to procure the ID Shield™ product from AtPac.

CERTIFICATION:

I am aware of the requirements set forth in the County's Purchasing Policy & Procedures Manual for competitive bidding and the established criteria for justification for sole source/sole brand purchasing. As an approved department representative, I have gathered technical information and have made a concerted effort to review comparable/equal equipment. This is documented in this justification. I hereby certify as to the validity of the information and feel confident that this justification for sole source/sole brand meets the County's criteria and is accurate.

This form was completed by:

Marvin R. Hackett, Assistant Clerk-Recorder

NAME

DEPARTMENTAL APPROVAL: <u>Jundingar</u> 1-20-09 DIRECTOR (or Authorized Rep.)/Date

Marvin Hackett, 209-525-5286

DEPT/DIVISION REPRESENTATIVE/PHONE

PROCUREMENT APPROVAL:------

PURCHASING AGENT APPROVAL

islaus County to be the Best	County Purchasing Division P.O. Box 3229 1010 TENTH ST, SUITE 5400 MODESTO, CALIFORNIA 95353 TEL: (209) 525-6319 FAX: (209) 525-7787				CO ELECTIONS I STREET STO,CA 95354		PURC THIS P ALL	PURCHASE ORDER NO. REVISION PAGE 84769 0 1 THIS PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES. PACKING LISTS, CARTONS AND CORRESPONDENCE RELATED TO THIS ORDER.			
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OFFICE OF COUNTY CLERK-RECORDER

LEE LUNDRIGAN Clerk-Recorder

Clerk: PO Box 1670, Modesto, CA 95353 Phone: 209.525.5250 Recorder: PO Box 1008, Modesto, CA 95353 Phone: 209.525.5260

Striving to be the Best

March 13, 2009

To: Lee Lundrigan, Stanislaus County Clerk-Recorder/Registrar of Voters

From: Marvin Hackett, Assistant Clerk-Recorder

Re: Social Security Number Truncation System

As you are aware, the Board of Supervisors approved the sole source procurement of the Social Security Number Truncation System from AtPac on Tuesday, March 10th. I received word this morning that the General Service Agency Purchasing Division has signed off on the sole source agreement and we can now issue a requisition for the Truncation System.

I would like you to authorize a requisition for the purchase of the Social Security Number Truncation System from AtPac for \$250,000. This requisition will be charged to 1723-0020520-62210.

I have attached the quote for the SSN Truncation System from AtPac and have provided some additional details on the next page.



Additional Details About the Social Security Number Truncation System

The requisition will cover records from 1980 to June 2009. We estimate that we will need to pay for 11.9 million historical images (1980 through June 2008) and 500,000 images for Fiscal Year 2008-2009 (July 1, 2008 through June 30, 2009). We will also have to pay set-up fees for both the historical records and future records. A summary of these costs is listed below:

Description	Quantity	Unit Cost	Extended Cost
Rule Set			
Historical	1	\$4,000.00	\$4,000.00
Future	1	\$4,000.00	\$4,000.00
Images			
Historical	11,900,000	\$0.018	\$214,200.00
FY 2008-2009	500,000	\$0.020	\$10,000.00
Subtotal			\$232,200.00
Tax at 7.375%			\$17,124.75
Total			\$249,324.75

The images that we purchase are valid until they are used. So for example, if we do not use all 500,000 images in FY 2008-2009, then they will be able to be used in FY 2009-2010. Similarly, if we don't use all 11.9 million images for historical records, we will be able to use them for current records.

Confidential Summary Fee Provision

Backfile Redaction

Product or Service Description	Qty	Fee	Tax	Ext
I.D. Shield <u>backfile</u> redaction of sensitive personal information from from the formation from official Records that have been digitized.				
Fee is quoted and based on a minimum of 3,000,000 backfile images. Actual charges will be based on the total number of backfile images processed.				
Set-up Fee Image Page Fee	1	\$ 4,000.00 \$ 0.018	\$ 0.001305	\$ 0.01931

Notes:

- Based on a rough calculation of activity between 1980 and 1999, and image counts from 2000 to present, we estimate you will have approximately 11.9 million images back to January 1, 1980. Based on that estimate, we believe the total image page fees for backfile redaction will be approximately \$230,000. As noted, <u>actual charges will be based on the</u> <u>actual number of images processed</u>.
- This quotation includes local sales tax for Stanislaus County of 7.25%.
- The one-time Set-up fee covers costs for rule set development and server configuration.

Day Forward Redaction

Product or Service Description	Qty	Fee	Tax	Ext
I.D. Shield day forward redaction of sensitive personal information from Official Records.				
Image page fee is quoted and based on annual image volume (up to 1,000,000 images).				
Set-up Fee Image Page Fee	1	\$ 4,000.00 \$ 0.02000	0.00145	0.02145

Notes:

- For planning purposes only, based on estimated current annual image volume of approximately 500,000 images, annual day forward image page fees would be approximately \$10,750. As noted, <u>actual costs will be based on actual image volume</u>.
- This quotation includes local sales tax for Stanislaus County of 7.25%.
- The one-time Set-up fee covers costs for rule set development and server configuration.



Confidential Quotation Delivered Electronically

January 19, 2009

Mr. Marvin Hackett Assistant Recorder Stanislaus County Clerk - Recorder 1021 "I" St., Suite 101 Modesto, CA 95353

Dear Marv:

Thank you for giving us the opportunity to provide a revised quotation for additional services for the Stanislaus County Clerk- Recorder.

Scope of Service Description:

AtPac's *I.D.* Shield^{\mathbb{M}} software has been successfully used in over 150 jurisdictions across the U.S. - from the local to the State level - to redact sensitive personal information from public documents. There are a number of differentiators between *I.D.* Shield^{\mathbb{M}} and other redaction products. The first is data masking versus data obliteration. Other products simply place a thick line or box over a redacted field, leaving the underlying data vulnerable to recovery from individuals with the necessary (and readily available commercially) software tools. *I.D.* Shield^{\mathbb{M}} obliterates the underlying data, meaning your "public" copy of a record cannot be compromised.

Another key differentiator is performance. Based on results in other jurisdictions, we expect *I.D. Shield*^M to deliver an industry best practice, automated redaction rate approaching or even exceeding 95%, without human intervention.

Flexibility is another advantage of *I.D.* Shield^{\mathbb{M}}. There are several options available that allow you to live up to the requirement to store a "public" and "private" copy of records without modifications to your current filling system in CRiis^{\mathbb{M}}. *I.D.* Shield^{\mathbb{M}} can also accommodate both day forward and backfile redaction of your records.

Another major differentiator is cost. We believe you will find our rates to be highly competitive in the marketplace. We have included the pricing component of our quotation and ask that this information not be shared with outside parties. We understand you intend to borrow from your modernization funds and pay yourselves back from the \$1 per title fees for truncation, per AB1168. We propose payment for both rule sets and Day Forward redaction upon execution of the Agreement and for backfile redaction within 60 days of Day Forward rule set delivery. We understand you will need to perform a film conversion before images back to 1980 are available to be run through the redaction process.

Finally, we offer the ability to partner with AtPac - a team with the proven ability to integrate and support innovative new functions and features and a demonstrated commitment to your long-term success. We believe (but will need to confirm) that the processes for day forward redaction can run on your existing AutoDex server meaning there is no need for you to procure additional hardware. We can discuss several options that are available for processing your image backfile.

We recommend assembling a sample of images from each year from 1980 forward to use in creating a rule set for I.D. Shield^M - similar to the process that was implemented for AutoDex^M. This rule set can then be applied to all of the images that need to be redacted - up to the current date at the time of project kick-off. A separate set, comprised of a sample made up of only your current images, can be used to configure the rule set for day forward redaction.

Please feel free to contact me at (800) 845-7518 or at <u>kirk@egovinc.com</u>, if you have any questions, or require additional information.

Sincerely,

KIUk

Kirk Weir President