



**Contra
Costa
County**

To: Board of Supervisors
From: David O. Livingston, Sheriff-Coroner
Date: February 28, 2023

Subject: Approval of Contract with Permitium, LLC

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a software and services contract with Permitium, LLC in an amount not to exceed \$12,600 for the period of February 28, 2023 through February 27, 2026, to provide a hosted software system for concealed carry weapon (CCW) permit applicants.

FISCAL IMPACT:

\$12,600 (\$4,200 annually); 100% General Fund. The actual fiscal impact may be offset depending on the monthly number of CCW applicants in which the monthly cost of service will be partially or wholly collected.

BACKGROUND:

The Contra Costa County Office of the Sheriff (CCCSO) seeks to contract with Permitium, LLC to provide a hosted software system for concealed carry weapon (CCW) applicants to apply for CCW permit. Permitium's software system services will provide an improvement in the CCW application process by offering an online application and payment service for Contra Costa County residents.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/28/2023** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Ken Carlson, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: February 28, 2023

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Donn David,
925-655-0037

cc:

A June 2022 United States Supreme Court decision, *New York State Rifle and Pistol Assn., Inc. v. Bruen*, effectively eliminated the “good cause” determinant by issuing authorities for CCW permits. Accordingly, the number of CCW applicants drastically increased. To date, the CCCSO has received about 1600 applications for CCW permits. Staff foresees that all or nearly all applicants will be issued permits.

Regarding permitting, it is a labor intensive process which includes the following steps performed by Staff:

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BACKGROUND: (CONT'D)

Review of the application for completeness. Issuing authorities are mandated to use a California Department of Justice (CA DOJ) application form which has proven confusing to some applicants. Staff returns around 5% of all applications to applicants for missing information.

- Ensuring the applicant has been fingerprinted. A permit cannot be issued to an applicant who has not been fingerprinted.
- Completion of a background check.
- Arranging for an interview of applicants with the CCW program staff (as necessary depending upon an applicant's background results).
- Preparation of a packet, including the application, and background information, for the Sheriff's consideration on issuance of a permit. This also includes entry of applicant data into a database.
- Corresponding with applicants who have either been approved or denied permits.
- For approved applicants, ensuring statutory minimum training requirements have been met.
- Meeting with the applicant to obtain the applicant's thumbprint, photo, and signature on a CA DOJ permit form.
- Collection of fees from the permittee and then submittal of deposit receipts to the County Treasurer and forwarding of checks, cash, accompanying receipts, to the CCCSO Fiscal Unit.
- Preparation and forwarding of the completed permit card, including with the Sheriff's signature, to the applicant. Staff also updates a database and ensures notification is made to the DOJ on permit issuance. Finally, Staff scans completed applications into an archive file.
- Staff also tracks when existing permits are up for renewal and informs applicants. Staff essentially repeats the above steps for permittees renewing permits.

Permitium LLC offers online software, "Permit Director", which essentially incorporates application receipt, background check tracking, processing, payment and issuance of CCW permits. The use of Permitium's product will allow the CCCSO to transition existing manual, paper-based processes into an online, largely, automated solution.

The anticipated benefits from the use of Permitium LLC's product include elimination for Staff of manual scheduling and follow up notifications; accurate and auditable reporting of permit applications statuses, e.g., applications received, applications pending, etc.; streamlined weapon permit payments; and for applicants, the submission of applications utilizing embedded online audio/visual interaction. The use of Permitium should allow for greater efficiency in the use of Staff time, should help speed the issuance of permits, and should allow for a "user friendly" experience for applicants.

Staff noted that Permitium LLC is an established and reputable vendor. Five of the eight other Bay Area Sheriff's Offices, already employ Permitium's service. Permitium's Permit Director is used by about 55 law enforcement agencies in California and about 500 agencies

nationwide.

Permitium charges an applicant \$5 per permit plus two credit card processing fees of \$.30 plus 3.3% of the total transaction per permit; this will be approximately \$10.88 for a new standard permit and \$ 9.82 for a renewed standard permit. The charges will be part of the current fees of \$160 for a new or “initial” standard permit and \$137 for the renewal of a standard permit.

Permitium LLC requires a minimum of 70 permit application submittals monthly for use of its service. If 70 permit applications are not submitted, Permitium will charge the CCCSO \$5 for each submittal less than the required minimum number. This means if no submittals occurred in a month, the CCCSO would be required to pay Permitium LLC the maximum of \$350. If no submittals occurred in a year, the CCCSO would be required to pay Permitium LLC the maximum of \$4,200. If no submittals occurred for the duration of the agreement, three years, the CCCSO would be required to pay Permitium LLC a total of \$12,600. Staff believes that given the current number of permit holders, ongoing renewals, pending applications, and continual stream of new applicants, the likelihood of the minimum number of applications not being reached is close to nil.

Under the contract, Permitium’s liability for damages arising out of its breach of the contract is limited to \$6,000,000.

CONSEQUENCE OF NEGATIVE ACTION:

The Sheriff's Office will be unable to acquire a resource that improves service to Contra Costa County residents.