



# COUNTY OF HUMBOLDT

## Legislation Text

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**File #:** 19-1763, **Version:** 1

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**To:** Board of Supervisors

**From:** County Administrative Office

**Agenda Section:** Consent

**SUBJECT:**

Microsoft Enterprise Agreement with Dell Marketing LP Regarding the Provision of Software Licenses and Support and Hosting Services Required for the Continued Use of the Microsoft O365 Online Platform

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Waive the requirements of the Humboldt County Nuclear Free Ordinance with regard to the attached Microsoft Enterprise Agreement with Dell Marketing LP;
2. Approve, and authorize the Board Chair, to execute, the attached Microsoft Enterprise Agreement with Dell Marketing LP, and all related documents attached hereto, regarding the provision of software licenses and support and hosting services required for the continued use of the Microsoft O365 Online platform; and
3. Authorize the Humboldt County Purchasing Agent, or a designee thereof, to execute any and all subsequent amendments to the attached Microsoft Enterprise Agreement with Dell Marketing LP, after review and approval by County Counsel and Risk Management.

**SOURCE OF FUNDING:**

Information Technology Internal Service Fund (3550-118)

**DISCUSSION:**

On Dec. 13, 2016 (Item C-10), the Humboldt County Board of Supervisors approved a Microsoft Enterprise Agreement (MEA) with Dell Marketing LP regarding the provision of software licenses and implementation, conversion, support and hosting services required to use the Microsoft O365 Online Program. The attached MEA with Dell Marketing LP will allow the Information Technology Division of the Humboldt County Administrative Office to obtain updated software licenses and support and hosting services that are required for the County of Humboldt's continued use of the Microsoft O365 Online platform.

Section 6.8 (Cooperative Purchases) of the Humboldt County Purchasing Policy allows the county to acquire services and pricing through an existing contract with other governmental entities. The attached MEA with Dell Marketing LP is a cooperative purchase agreement for Microsoft product

licensing and maintenance as negotiated by Riverside County with discounted prices that have been made available to all California counties.

The following items regarding the attached MEA with Dell Marketing LP should be taken into consideration:

- The requirements of the Humboldt County Nuclear Free Ordinance must be waived prior to approval and execution of the attached MEA with Dell Marketing LP, since Microsoft will not modify its “standard agreements” to accommodate local ordinances.
- Dell Marketing LP has been notified in writing that it is required by California law to prepare and maintain accurate and complete financial, performance and payroll records relating to the licenses and services provided pursuant to the terms and conditions of the attached MEA, and these records must be made available to the California State Auditor and any other duly authorized local, state or federal agencies, for a period of 3 years after expiration or termination of the MEA.
- Dell has been notified in writing that the attached MEA, and all related documents attached hereto, will be posted on the County of Humboldt’s website and made available to the public upon request in accordance with the laws of the State of California, including, without limitation, the Brown Act and the Public Records Act.

Accordingly, staff recommends that the Board approve, and authorize the Board Chair, to execute, the attached MEA with Dell Marketing LP, and all related documents attached hereto, regarding the provision of software licenses and support and hosting services required for the continued use of the Microsoft O365 Online platform. Staff also recommends that the Board authorize the Humboldt County Purchasing Agent, or a designee thereof, to execute any and all subsequent amendments to the attached MEA with Dell Marketing LP, after review and approval by County Counsel and Risk Management, in order to avoid any unnecessary delays in the provision of needed software licenses and support and hosting services.

FINANCIAL IMPACT:

The total cost that will be incurred under the attached MEA with Dell Marketing LP for a period of 3 years is \$1,632,896.04. Costs will be allocated based on the number of users per department as part of the Information Technology Internal Service Fund (3550-118). The General Fund will incur its share of the overall cost, estimated to be approximately \$197,348. The cost for the initial year is \$544,298.68 and has been included in the Fiscal Year 2019-20 Adopted Budget.

STRATEGIC FRAMEWORK:

The recommended actions support the Board of Supervisors’ Strategic Framework by managing resources to ensure sustainability of services.

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may choose not to approve the attached MEA with Dell Marketing LP regarding the provision of software licenses and support and hosting services required for the continued use of the Microsoft O365 Online platform. However, this alternative is not recommended since it will not allow for the continued provision of vital email services.

ATTACHMENTS:

1. Humboldt County Microsoft Enterprise Agreement with Dell
2. Microsoft Enterprise Agreement
3. Amendment to Contract Documents
4. Discount Transparency Disclosure Form
5. Microsoft Product Selection Form
6. Microsoft Program Signature Form

PREVIOUS ACTION/REFERRAL:

Board Order No.: C-10

Meeting of: December 13, 2016

File No.: NA