



# County of El Dorado

330 Fair Lane, Building A  
 Placerville, California  
 530 621-5390  
 FAX 622-3645  
 www.edcgov.us/bos/

## Legislation Details (With Text)

**File #:** 07-659      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 4/16/2007      **In control:** Board Of Supervisors

**On agenda:** 5/8/2007      **Final action:** 5/8/2007

**Title:** Information Technologies (IT) Department recommending continuation of all current perpetual software license agreements as outlined on list dated March 21, 2007 for on-going maintenance fees administered by said Department.  
**RECOMMENDED ACTION:** Approve.

**FUNDING:** Funding for all of the mentioned Perpetual Licenses and the associated maintenance is in the I.T. FY 07/08 budget request.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Perpetual License Chart.pdf, 2. Previous Counsel Memos- Perpetual.pdf

Date	Ver.	Action By	Action	Result
5/8/2007	1	Board Of Supervisors	Approved	Pass

Information Technologies (IT) Department recommending continuation of all current perpetual software license agreements as outlined on list dated March 21, 2007 for on-going maintenance fees administered by said Department.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Funding for all of the mentioned Perpetual Licenses and the associated maintenance is in the I.T. FY 07/08 budget request.

BUDGET SUMMARY:		
Total Estimated Cost		\$675,500
Funding		
Budgeted	\$675,500	
New Funding	\$	
Savings	\$	
Other	\$	
Total Funding Available	\$675,500	
Change To Net County Cost		\$0.00

**Fiscal Impact/Change to Net County Cost:**

The estimated FY 07/08 software perpetual software license agreement maintenance is \$675,500,

including applicable sales taxes. Funding is included in the I.T. FY 07/08 budget request.

**Background:**

I.T. manages several agreements for sole source mainframe software licenses including the on-going maintenance and support for the licenses, which are for software products that are used to support datacenter operations and County-wide applications. The software products include operating systems and sub systems to support print management, diagnostic and utility software, database management and network connectivity software, the County financial management system (FAMIS), the HR/Payroll system, the Recorder's Index and document management system, the Land Management Information System, and the Property Tax administration system.

**Reason for Recommendation:**

I.T. is bringing this matter before your Board per BOS Policy C-17 and at the recommendation of County Counsel to make the Board aware of agreements that were approved by prior Boards, and, since each of the perpetual software licenses has a maintenance component covering one or more years, we are requesting authorization to continue the license agreements and for the payment of the associated software maintenance for FY 07/08, which is itemized on the attached chart. Since these perpetual license agreements and their associated maintenance components were entered into a different times over a number of years they do not have co-terminus dates, which is another reason we advise your Board of the matter once a year.

We have also provided you with information regarding some of the non-standard terms in these agreements, specifically with regard to fiscal non-appropriation clauses and termination provisions.

Because of the value we receive from these products and the high quality of support we receive from the contracted vendors, I.T. recommends the continuation of these perpetual agreements and request approval for the continuation of software maintenance agreements.

**Action to be taken following Board approval:**

- 1.) Procurement and Contracts shall encumber funds for the maintenance for each software product and take all actions necessary for the continuation of the perpetual agreements, including extension of the software maintenance required by the license agreement.
- 2.) I.T. shall make payment upon receipt and approval of invoices.
- 3.) Any future changes to terms and conditions of the agreements, other than authorized price increases, will be brought to your Board for approval.

**Contact:**

Becky Stiles x 5513

**Concurrences:**

County Counsel, Procurement and Contracts