



## Legislation Details (With Text)

**File #:** 20-0622      **Version:** 1

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

**File created:** 4/28/2020      **In control:** Board of Supervisors

**On agenda:** 10/20/2020      **Final action:** 10/20/2020

**Title:** Environmental Management Department recommending the Board approve and authorize the Chair to sign Agreement 4911 with Accela, Inc. for the provision of EnvisionConnect software licensing and support services with a not-to-exceed amount of \$87,221.07 and a term of two (2) years.

FUNDING: Non-General Fund / Permit Fees.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Accela Software License Agreement #4911, 2. Executed Accela Software License Agreement #4911

Date	Ver.	Action By	Action	Result
10/20/2020	1	Board of Supervisors	Approved	Pass

Environmental Management Department recommending the Board approve and authorize the Chair to sign Agreement 4911 with Accela, Inc. for the provision of EnvisionConnect software licensing and support services with a not-to-exceed amount of \$87,221.07 and a term of two (2) years.

**FUNDING:** Non-General Fund / Permit Fees.

**DISCUSSION / BACKGROUND**

Agreement for Services 181-S1511 was approved by the Board on January 6, 2015 (Item No. 8, File No. 14-1120), with Decade Software Company, LLC (Decade), for a three (3) year term and a not-to-exceed amount of \$200,000, to provide EnvisionConnect software licensing and support services to the Environmental Management Department (Environmental Management).

On August 21, 2015, Environmental Management was notified by Accela Inc. (Accela) that the acquisition of Decade was completed on June 29, 2015, resulting in the need to amend the agreement. The first amendment was approved by the Board on October 13, 2015 (Item No. 11, File No. 14-1120), which assigned and delegated all obligations and duties under the agreement to Accela, with no changes in services, the service fee schedule, the not-to-exceed amount, or the term of the agreement.

On October 24, 2017, (Item No. 19, File No. 14-1120), the Board approved the second amendment, which extended the term of the agreement for one (1) additional year, updated the annual license and support fees based on the current number of inspectors, updated the support services provided, and made other minor administrative changes as necessary. There was no change to the not-to-exceed amount under the second amendment.

On October 30, 2018, (Item No. 21, File No. 18-1583), the Board approved the third amendment, which extended the term of the agreement an additional two (2) years, increased the not-to-exceed

amount of the agreement to cover the extended term, and made other minor administrative changes as necessary, with no changes to the services provided.

Environmental Management had intended to solicit proposals for the potential replacement the EnvisionConnect software and earmarked funding during the preparation of the Fiscal Year 2020-21 budget; however, due to budgetary constraints and the fiscal uncertainty surrounding COVID-19, this process was again put on hold. As such, it was determined that the agreement would need to be amended again to extend the term and increase the not-to-exceed amount of the agreement.

In April of 2020, Environmental Management proposed another amendment to Accela and was advised that due to the fact that the current agreement is now outdated and Accela would require a new agreement for EnvisionConnect. The proposed Agreement 4911 (Agreement) reflects up to date information and accurately represents the services provided. This proposed two (2) year Agreement will provide Environmental Management additional time, should circumstances improve and sufficient funding exists, to complete the competitive procurement process for new software.

### **ALTERNATIVES**

The Board may choose to not approve the proposed Agreement. This would result in Environmental Management being unable to utilize this software for the purposes stated above.

As indicated in the previous agenda item for Amendment III to Agreement 355 with Accela, Environmental Management intended to solicit proposals for similar types of software licensing and support programs during the term of the Agreement; however, due to circumstances surrounding COVID-19, budgetary constraints, and the anticipated significant costs of transitioning to a new software program, Environmental Management will again be delaying this process and instead is proposing to enter into a new Agreement with Accela for the continued use of EnvisionConnect.

### **PRIOR BOARD ACTION**

See Discussion/Background above.

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel has approved the proposed Agreement.

### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

### **FINANCIAL IMPACT**

There is no change to Net County Cost associated with this item. Funding for this software is comprised of a small portion of various Environmental Health, Hazardous Materials, Solid Waste, and Liquid Waste fees including, but not limited to, annual and project/event specific permit fees for operating restaurants and other food facilities, pools, small water systems, construction or modification of septic systems and wells, underground storage tanks, hazardous materials business plans, construction and demolition debris, and septage hauler fees. This Agreement is budgeted under Environmental Management Administration with its costs spread to the other programs in the same manner as other administrative costs on an annual basis. The Fiscal Year 2020-21 budget includes sufficient funding budgeted specifically for this software. Environmental Management will also include funding for this software in the Fiscal Year 2021-22 budget to cover the second year of the Agreement.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) The Clerk of the Board will obtain the Chair's signature on two (2) original copies of the Agreement.
- 2) The Clerk of the Board will forward one (1) fully-executed original Agreement to the Chief Administrative Office, Procurement and Contracts Division for further processing.

**STRATEGIC PLAN COMPONENT**

Infrastructure

**CONTACT**

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