



Legislation Text

File #: 21-1103, **Version:** 1

Health and Human Services Agency recommending the Board:

- 1) Ratify the renewal of Purchase Contract 3076 with Network Solutions, part of the Web.com Group, Inc., with a perpetual term and triennial cost of \$245.94, or the then-current subscription rate;
- 2) Ratify the purchases made with Network Solutions for 211 domain name subscription services to be provided through 06/01/2024, in the amount of \$245.94, for the following domain names:
 - a) www.211ELDORADO.COM
 - b) www.211ELDORADO.ORG and;
- 3) Authorize the Health and Human Services Agency Director or their designee to execute further documents relating to Purchase Contract 3076, contingent upon County Counsel and Risk Management concurrence, including amendments which do not increase the maximum dollar amount or term of the Agreement

FUNDING: General Fund.

DISCUSSION / BACKGROUND:

On April 12, 2018, the Health and Human Services Agency (HHSA) entered into a purchase agreement for a three (3) year term with Network Solutions for 2-1-1 related domain names in the amount of \$173.94 which breaks down to \$28.99 per domain name license per year. The terms and conditions for a domain name subscription were reviewed and approved in FENIX by the Information Technology Department on May 22, 2018; then it was reviewed by County Counsel on May 24, 2018; and thereafter the agreement documents were subsequently approved and posted in FENIX by the Purchasing Agent on May 31, 2018 following standard protocol. The subscription automatically renews upon payment for a new period (in this case, every three years) until the Agreement is properly terminated in accordance with its terms. The County may terminate this Agreement and the subscription by contacting Web.com Customer Service, whereby the termination request may be recorded and the subscription would terminate as of the end of the billing period within which the termination request was made.

On May 12, 2021, HHSA received an invoice to renew the existing domain names subscription with Network Solutions. The price per domain name per year has increased by \$12 thereby increasing the price per domain name from \$28.99 per year to \$40.99 per year. The invoice for \$245.94 was paid using a County purchase-card, thereby automatically authorizing renewal of the purchase contract for another three years. Upon review of the terms and conditions, HHSA identified that this process essentially makes Agreement 3076 a perpetual agreement until terminated in accordance with Section 4 "Termination" of 3076. Pursuant to Procurement Policy C-17, Board of Supervisors' approval is required for any contract term exceeding three (3) years inclusive of all any amendments and regardless of dollar amount; therefore, HHSA is recommending the Board ratify said payment and approve this perpetual agreement. In future years, HHSA will include Agreement 3076 on the annual perpetual contracts report to the Board until the agreement is terminated.

ALTERNATIVES:

Should the Board decline to approve this recommendation, HHSA would still need to pay, as this charge is irrevocable per the master agreement which states: "If Customer pays for the Services by credit card or charge card, Customer permanently and irrevocably waives any and all right to enact a 'chargeback.'" Another option would be to enter into a new retroactive perpetual agreement with Network Solutions, and apply the payment to the new agreement.

PRIOR BOARD ACTION:

10/06/2015, File ID 15-1019, IT - Network Solutions Domain Name Renewals for other County domain names.

OTHER DEPARTMENT / AGENCY INVOLVEMENT:

Approved by County Counsel, Information Technologies and Risk Management

CAO RECOMMENDATION:

Approve as recommended.

FINANCIAL IMPACT:

This software subscription for Countywide 2-1-1 domain names is funded by General Fund; the current three year subscription increase results in an increase in Net County Cost of \$24 per year. Savings in Fiscal Year 2021-22 has been identified to cover the increase and the revised contract amount will be budgeted going forward.

CLERK OF THE BOARD FOLLOW UP ACTIONS

Clerk of the Board to provide a certified Minute Order to HHSA Contracts Unit at 3057 Briw Road, Suite B.

STRATEGIC PLAN COMPONENT:

N/A

CONTACT

Don Semon, Director, Health and Human Services Agency