



## Legislation Text

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**File #:** 21-1259, **Version:** 1

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Planning and Building Department recommending the Board:

1) Approve and authorize the continuation of four (4) perpetual agreements as detailed in Attachment A:

- a) Agreement 2709 with Cardknox Development for credit card payment processing;
- b) Agreement 3535 with El Dorado Community Foundation for the cemeteries charitable fund;
- c) Agreement 4956 with Downstream Aviation LP dba QTPod LLC for self-serve fueling system at the Placerville Airport; and
- d) Agreement 4956 with U.S. Bank National Association for processing credit card transactions at the Placerville Airport; and

2) Authorize the Purchasing Agent to establish change orders to add funds to each continued perpetual agreement necessary to process associated payments for Fiscal Year 2021-22.

**FUNDING:** General Fund, and Public Utility Franchise Fees (Federal, State, and Local Funds).

### **DISCUSSION / BACKGROUND**

Board of Supervisors Policy C-17, Section 4.5, Contract Term, requires departments to obtain authorization from the Board, initially, and on an annual basis, to use any contract that does not have a stated agreement term. A list of these perpetual agreements, including the vendor, description of services, date of execution, annual amount, and termination provisions for each of the agreements are included in Attachment A.

Since the implementation of FENIX, each perpetual agreement must have a change order executed to allocate funding for payments in the upcoming fiscal year. This item is intended to apprise the Board of these perpetual agreements listed in Attachment A, and recommend the Board authorize the Purchasing Agent to issue a change order for each ongoing perpetual agreement to ensure availability of funding in FY 2021-22.

Agreement 2709 with Cardknox offers a turnkey solution for processing Master Card, Visa, and Discover cards both online and in-person that meets new Europay, MasterCard and Visa (EMV) standards for chip readers. Since chip data cannot be passed to a webpage, additional security measures are required for the online acceptance of credit cards. Cardknox offers a solution that processes online payments in a manner that meets EMV standards. A contract must be executed with Cardknox, so the interface can integrate with TRAKiT to accept credit cards and debit cards online, and credit and debit cards at the point of purchase.

Agreement 3535 with El Dorado Community Foundation, a charitable non-profit organization, originated to create a cemeteries charitable fund as a result of generous members/residents of the El Dorado County community indicating they would like to donate funds to the County specifically for use to support maintenance, operations, historical preservation and restoration activities at various cemeteries. The establishment of a cemeteries charitable fund creates an additional and ongoing revenue source to support these cemeteries.

Agreement 4956 with Downstream Aviation LP dba QTPod LLC, is a perpetual subscription service required for the M4000 self-serve fueling system to function at the Placerville Airport. The perpetual agreement (Gateway Agreement for Government Entities) with U.S. Bank National Association is required because the County will be connecting directly to its systems for processing and transmitting data for authorization and settlement of payment credit card transactions for fuel sales at the Placerville Airport.

During FY 2021-22, staff will continue to monitor and research the existing perpetual agreements. For any agreement that is no longer needed, staff will terminate them as appropriate, and notify the Board of such terminations on an annual basis.

### **ALTERNATIVES**

The Board may choose not to approve any or all of the perpetual agreements. As each item facilitates an important service, alternative methods to deliver these services would need to be identified, in addition to associated costs.

### **PRIOR BOARD ACTION**

The Board has previously approved the Department's perpetual agreements, including those specified in Attachment A, under the following items:

- File No. 18-1138, Item No. 2 - Fiscal Year 2018-19
- File No. 18-1179, Item No. 12 - Fiscal Year 2018-19
- File No. 18-1921, Item No. 9 - Fiscal Year 2018-19
- File No. 19-0944, Item No. 29 - Fiscal Year 2019-20
- File No. 20-0770, Item No. 4 - Fiscal Year 2020-21
- File No. 20-0827, Item No. 7 - Fiscal Year 2020-21

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

County Counsel and Risk Management.

### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

### **FINANCIAL IMPACT**

There is no change to Net County Cost associated with this item. Funding for these agreements has been included in the Fiscal Year 2021-22 budget

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/a

### **STRATEGIC PLAN COMPONENT**

Good Governance: Incorporate benchmarks (to other agencies) and best practices to provide context to decisions, using data to inform discussions while promoting efforts to creatively address service delivery.

### **CONTACT**

Chris Perry, Interim Director  
Planning and Building Department