



## Legislation Text

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**File #:** 23-1968, **Version:** 1

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Information Technologies Department recommending the Board:

- 1) Make findings in accordance with Procurement Policy C-17, Section 3.4 (4), that the agreement with Dell is exempt from Competitive Bidding due to a competitively bid agreement being utilized;
- 2) Make findings in accordance with El Dorado County Ordinance Code, Chapter 3.13.030 (B) that specialty skills and qualifications not expressly identified in County classifications are involved in the performance of the work; and
- 3) Approve the continued use of Contract 83 with Dell through January 31, 2024, with no change to the Board-approved amount, for the purchase of hardware licensing, maintenance, and support, in accordance with National Association of State Procurement Officials (NASPO) Agreement MNWNC-108 Amendment VII.

**FUNDING:** General Fund.

### **DISCUSSION / BACKGROUND**

Since 2009, El Dorado County has purchased services for Dell branded products through NASPO Agreement No. MNWNC-108. The Board is being asked to authorize the continued utilization of the NASPO agreement through January 31, 2024.

Contract 83 originally had a not-to-exceed (NTE) amount of \$49,228.87. Board approved change orders over the life of the contract have increased the NTE to a total of \$317,316.37.

Prior to August 2021, Contract 83 had been brought before the Board as a perpetual agreement. However, Information Technologies is currently treating it as a standard piggyback agreement to align with the expiration date of Amendment VII to the NASPO Agreement MNWNC-108. The seventh amendment to the NASPO agreement went into effect October 5, 2023, and has an expiration date of January 31, 2024. Board approval of the term extension will allow the County to continue to utilize the NASPO contract to purchase Dell computer equipment, peripherals, and server maintenance licenses through January 31, 2024.

The State of California NASPO contract MNWNC-108 / 7-15-70-34-003 has been extended through January 31, 2024, to allow time for states to create Participating Agreements for the new NASPO Master Agreement that Dell executed in mid-July 2023. The new California Participating Agreement will be put in place and take over for the current contract before the end of January. El Dorado County will issue a new agreement for the use of the new NASPO Master Agreement and the California Participating Agreement for February 1, 2024, forward. The extension of the current agreement will be the final agreement modification and will terminate on January 31, 2024. NASPO agreements are cooperative, competitively bid agreements for use by federal, state, and local governments.

### **ALTERNATIVES**

The Board could choose not to approve the extension of the agreement; however, this purchasing and maintenance agreement is necessary to maintain the Dell network servers. The County would

not be able to continue to purchase equipment or peripherals support, which would significantly impact the County's technology function, should services be required.

**PRIOR BOARD ACTION**

23-1591 - Board approved the extension of MNWNC-108 Amd VI through 10/31/23.

23-0621 - Board approved the extension of MNWNC-108 Amd V through 07/31/23 and authorized the addition of \$25,000 to the current year's funds, increasing the not-to-exceed amount to \$317,316.37.

22-1438 - Board approved the extension of MNWNC-108 Amd IV through 02/28/23 and authorized the addition of \$40,000 to the current year's funds, increasing the not-to-exceed amount to \$292,316.37.

21-1284 - Board approved the extension of MNWNC-108 Amd III through 07/31/22.

20-1260 - Board approved continuation of Contract 83 as a perpetual agreement.

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel and Risk Management have reviewed the Agreement and amendments.

**CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

**FINANCIAL IMPACT**

There is no additional impact to the General Fund as the Fiscal Year 2023-24 Information Technologies Budget includes appropriations for the necessary maintenance and support services.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

**STRATEGIC PLAN COMPONENT**

Good Governance

**CONTACT**

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