



# County of El Dorado

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## Legislation Details (With Text)

**File #:** 07-1790 **Version:** 1

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

**File created:** 11/1/2007 **In control:** Board Of Supervisors

**On agenda:** 11/27/2007 **Final action:** 11/27/2007

**Title:** Information Technologies Department recommending the Board make findings that pursuant to Section 3.12.132 of the Purchasing Ordinance and Resolution Nos. 336-2000 and 142-2001 the procurement of Microsoft proprietary software licenses are exempt from competitive bidding; and authorize the Chairman to sign the Microsoft Select Enrollment Agreement 796-S0710 with Microsoft Licensing, GP in the amount of \$75,000 for a term to expire January 31, 2011 to allow for the purchase of Microsoft product licenses from Dell, Inc. for said Department.  
**RECOMMENDED ACTION:** Approve.

**FUNDING:** Funding for these purchases is budgeted in the specific departmental budgets for FY 07/08, and subsequently in future year budgets.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Select Original, 2. Select blue route, 3. 08-208-007\_MSSELECT\_SS, 4. MS6\_Product List

| Date       | Ver. | Action By            | Action   | Result |
|------------|------|----------------------|----------|--------|
| 11/27/2007 | 1    | Board Of Supervisors | Approved | Pass   |

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|                         |             |             |
|-------------------------|-------------|-------------|
| BUDGET SUMMARY:         |             |             |
| Total Estimated Cost    |             | \$75,000.00 |
|                         |             |             |
| Funding                 |             |             |
| Budgeted                | \$75,000.00 |             |
| New Funding             | \$          |             |
| Savings                 | \$          |             |
| Other                   | \$          |             |
| Total Funding Available | \$75,000.00 |             |

|                           |  |        |
|---------------------------|--|--------|
| Change To Net County Cost |  | \$0.00 |
|---------------------------|--|--------|

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

None

**Background:**

El Dorado County uses two different Microsoft processes for purchasing Microsoft software: MSEA (Microsoft Enterprise Agreement) and Microsoft Select Agreement (MS SELECT). The ability for El Dorado County to participate in both of these programs is as a result of successful negotiations between Microsoft and other statewide agencies on behalf of State and local agencies.

MSEA: Various El Dorado County departments have participated in MSEA for the last several years. Approximately 1000 County computers are enrolled in this program which provides licenses and Software Assurance (upgrade price protection) and various other benefits to departments participating in this agreement.

MS SELECT: The Select agreement is a contract negotiated by the State of California, Department of General Services and Microsoft. Through a simple enrollment process, California cities and counties can participate in the Select Program and purchase software at a substantial discount.

Typically, purchases under MS SELECT are for smaller quantities of Microsoft licenses or in circumstances wherein a department has elected not to enroll each and every computer in their department in MSEA.

The current agreement between the State of California and Microsoft expires January 31, 2008. State Department of General Services (DGS) has indicated that they intend to sign an extension of the current agreement through January 31, 2011, in which case no further action will be required by your Board.

Should DGS exercise its right to sign a new agreement, rather than renew the existing MS SELECT agreement, I.T. will prepare, process and submit a Board agenda item prior to the expiration of the existing agreement, asking your Board for approval to sign the new agreement, which will have a term ending January 31, 2011.

Procurements and Contracts conducted a formal bid for MS SELECT resellers. Dell, Inc. was selected as the lowest qualified bidder (Bid #08-208-007). Dell, Inc. will be the contracting Microsoft affiliate for the enrollment.

**Reason for Recommendation:**

Without enrolling in MS SELECT, departments are unable to purchase software at the optimum discount level, which represents a substantial savings to El Dorado County when compared to purchasing through retail or other licenses available through Microsoft, other than MSEA.

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

- 1) Board Chair to sign two original agreements of the MS SELECT agreement.

- 2) Board Clerk to return both originals to I.T. to forward to Microsoft for signature and return.
- 3) Purchasing to create a County Wide Blank Purchase Order to Dell, Inc. for the purchases of these licenses.

**Contact:**

Steve Featherston x5557

**Concurrences:**

County Counsel approved designating Dell, Inc. as the contracting Microsoft affiliate under the existing agreement with the following stipulation on the Contract Routing Sheet: "Approved based on understanding, through discussions with T. Straling, that purpose of this agreement is to select new reseller under terms of existing agreement to expire on January 31, 2008. County Counsel to review any subsequent renewals or extensions".

Risk Management concurs.