



# County of El Dorado

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## Legislation Details (With Text)

**File #:** 08-0192 **Version:** 1  
**Type:** Agenda Item **Status:** Approved  
**File created:** 1/30/2008 **In control:** Board Of Supervisors  
**On agenda:** 2/26/2008 **Final action:** 2/26/2008  
**Title:** Information Technologies Department recommending the Board approve all current perpetual software license agreements as outlined on list dated January 14, 2008 for on-going maintenance and support for Fiscal Year 2008/2009.  
**RECOMMENDED ACTION:** Approve.

**FUNDING:** General Fund.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Perpetual Contracts Back Up Docs.pdf, 2. FY 08-09 Perpetual Software Licenses 2008-01-14.pdf

Date	Ver.	Action By	Action	Result
2/26/2008	1	Board Of Supervisors	Approved	Pass

Information Technologies Department recommending the Board approve all current perpetual software license agreements as outlined on list dated January 14, 2008 for on-going maintenance and support for Fiscal Year 2008/2009.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** General Fund.

BUDGET SUMMARY:		
Total Estimated Cost		\$758,335.00
Funding		
Budgeted	\$758,335.00	
New Funding	\$	
Savings	\$	
Other	\$	
Total Funding Available	\$758,335.00	
Change To Net County Cost		\$0.00

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

The estimated FY 08/09 cost for perpetual software license agreement maintenance is \$758,335, including applicable taxes. Funding will be included in the FY 08/09 IT budget request.

### Background:

IT manages several agreements for sole source mainframe software licenses including the on-going maintenance and support for software product licenses that are used to support data center operations and Enterprise applications. The software products include operating systems and sub systems to support print management, diagnostic and utility software, database management and connectivity software, the County financial management system (FAMIS), the HR/Payroll system, the Recorder's Index and document management system, the Land Management Information System, and the property tax administration system.

**Reason for Recommendation:**

IT is advising the Board of all current perpetual software licenses with agreements for on-going maintenance fees, administered by IT, and recommending the Board:

- 1) Approve continuation of the perpetual software license agreements; and
- 2) Authorize all actions necessary for the continuation of the perpetual agreements, including extension of the software maintenance required by the agreement; and
- 3) Authorize the Purchasing Agent to encumber funds for the FY 08/09 software maintenance payments required for each perpetual license agreement.

Any future changes to terms and conditions, other than authorized price increases, for the agreements will be brought to the Board for approval.

These licenses are necessary to run the mission-critical systems for El Dorado County and therefore are mandatory even in the face of next year's projected budget shortfall. The County Financial System (FAMIS, ADPCS, BPrep), the Property Tax Systems (Assessor, Auditor Controller, and Treasurer Tax Collector), the Records' Index and document management system, and the Land Management Information System (Surveyor, Environmental Management, Development Services, DOT, Assessor and others) are all dependent on these licenses to guarantee the ongoing support for making sure these systems run smoothly.

IT is bringing this matter before your Board per BOS Policy C-17 and at the recommendation of County Counsel to make your Board aware of agreements that were approved by prior Boards, and since each of the perpetual software licenses has a maintenance component covering one or more years we are requesting authorization to continue the license agreements and initiate payment for the associated software maintenance for FY 08/09, which is itemized on the attached chart. Since these perpetual license agreements and their associated maintenance components were entered into at different times over a number of years, they do not have co-terminus dates, which is another reason we advise the Board of this matter once each year.

In an attachment to this agenda item IT is also providing your Board with information regarding some of the non-standard terms in these agreements, specifically with regard to fiscal non-appropriation clauses and termination provisions.

Because of the value we receive from these products and the high quality of support we receive from the contracted vendors, IT recommends the continuation of these perpetual agreements and requests approval for the continuation of software maintenance agreements. A chart detailing the license agreements is attached.

Action to be taken following Board approval:

- 1) Procurements and Contracts shall encumber the funds for the maintenance for each software product and take all actions necessary for the continuation of the perpetual agreements, including extension of the software maintenance required by the license agreement.
- 2) IT shall make payment upon receipt and approval of invoices.
- 3) Any future changes to terms and conditions of the agreements, other than authorized price increases spelled out in the agreements, will be brought to the Board for approval.

**Contact:** Steve Featherston

**Concurrences:** County Counsel, Procurement and Contracts