



## Legislation Text

---

**File #:** 12-1554, **Version:** 5

---

Health and Human Services Agency recommending the Board, acting as the Governing Board of the El Dorado County Public Housing Authority, authorize the Chair to sign Amendment II to Agreement for Services 210-S1210 with HAPPY Software, Inc. to incorporate annual software support services into the Agreement, revise HAPPY's "Definition of Support," and amend the term to have no stated end date.

**FUNDING:** 100% Federal Funding.

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

None. There is no Net County Cost associated with this agreement. Sufficient appropriations were included in the Agency's FY 2012/13 Budget and costs associated with the agreement will be budgeted in future Fiscal Years.

### **Background**

At the request of the Health and Human Services Agency(HHSA) Public Housing Authority (PHA), and with the approval of County Counsel, on October 19, 2011, the Purchasing Agent signed Agreement 210-S1210 with a total maximum obligation of \$21,210 with HAPPY Software for the provision of personnel, services, and equipment necessary to perform data migration, installation, and set-up in addition to training and user license assignments for the upgrade of the existing HAPPY software used by HHS/PHA.

On August 1 2012, at the request of HHS/PHA and with concurrence of County Counsel, the Purchasing Agent signed Amendment I to Agreement 210-S1210 with HAPPY Software, thereby increasing the maximum obligation of the agreement to \$32,210 and allowing the HHS/PHA to purchase additional software modules.

On November 8, 2012, at the request of HHS/PHA and with the approval of County Counsel, the Purchasing Agent signed County Purchase Order PO201306944 in the not-to-exceed amount of \$8,536 with HAPPY Software in order to continue receiving annual software maintenance and support for the term of November 1, 2012 through October 31, 2013, thereby resulting in Invoice 23570 from HAPPY Software in the amount of \$8,536.

On December 18, 2012, the Board of Supervisors ratified the Purchasing Agent's signature on and approved Agreement for Services 210-S1210, Amendment I to Agreement for Services 210-S1210, and Purchase Order PO201306944 with the direction that the Director of the Health and Human Services Agency report back at the first meeting in March 2013 with a status of changes to certain contract language.

### **Reason for Recommendation**

Amendment II to Agreement for Services 210-S1210 with HAPPY Software, Inc. amends the scope of services to incorporate ongoing software support, allows for additional modules and

customizations upon approval of a written estimate, and revises HAPPY's "Definition of Support" terms and conditions. HAPPY Software has agreed to revise their standard "Definition of Support" terms and conditions language, which previously allowed changes to the terms of support or discontinuance of any feature or aspect of support without notice to the County, to now allow changes to the terms of support only upon written notice no less than 90 days prior to the next renewal date with said changes to be effective upon the next renewal date. The revised "Definition of Support" is incorporated into Amendment II to Agreement for Services 210-S1210 as Exhibit "D."

Amendment II also revises the term of the agreement to have no stated end date, amends the compensation to incorporate the cost of annual software support, and adds a conflict prevention and resolution provision.

**Action(s) to be taken following Board approval**

- 1) Chair to sign two (2) originals of Amendment II to Agreement 210-S1210
- 2) Board Clerk's Office to return one (1) original Agreement to HHSA at Briw Road
- 3) Department to distribute as appropriate.

**Contact**

Don Ashton, Assistant Director

**Concurrences**

County Counsel, Information Technologies and Risk Management