



Monterey County

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Board Report

Legistar File Number: A 19-006

February 26, 2019

Introduced: 2/5/2019

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

- a. Approve and authorize the Director of the Information Technology Department to execute a non-standard Agreement between the County of Monterey and Lenovo (United States), Inc. to allow the County to perform warranty service on County-owned and leased Lenovo equipment in the annual amount of \$250.00, and a total amount of \$1,250 for the 5-year term of March 19, 2019 to March 19, 2024;
- b. Approve non-standard agreement terms as recommended by the Director of the Information Technology Department;
- c. Approve and authorize the Director of the Information Technology Department to execute up to three (3) amendments to the Agreement, extending the term by one (1) year each, subject to County Counsel approval, provided the terms of the Agreement remain substantially the same and provided the amount per extension does not increase by more than 10% of the original annual cost (\$25.00 maximum additional cost per extension).

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Director of the Information Technology Department to execute a non-standard Agreement between the County of Monterey and Lenovo (United States), Inc. to allow the County to perform warranty service on County-owned and leased Lenovo equipment in the annual amount of \$250.00, and a total amount of \$1,250 for the 5-year term of March 19, 2019 to March 19, 2024;
- b. Approve non-standard agreement terms as recommended by the Director of the Information Technology Department;
- c. Approve and authorize the Director of the Information Technology Department to execute up to three (3) amendments to the Agreement, extending the term by one (1) year each, subject to County Counsel approval, provided the terms of the Agreement remain substantially the same and provided the amount per extension does not increase by more than 10% of the original annual cost (\$25.00 maximum additional cost per extension).

SUMMARY/DISCUSSION:

Lenovo (United States), Inc. is a computer manufacturer that has provided hardware, maintenance and support of County leased or owned Lenovo equipment since 2010.

Once the County obtains computer equipment it must be supported through its life-cycle, which includes maintenance and warranty repairs.

Warranty repair services in this Agreement are performed by County I.T.D. personnel or third-party Lenovo Certified Technicians on Lenovo equipment covered under valid warranty claims.

Pursuant to the recommended agreement Lenovo will provide the following:

- Technical support which will provide the County's Lenovo Certified Technicians with direct access to Lenovo product support specialists.
- Warranty claims processing on Lenovo PC's, laptops, tablets and monitors. The County will be able to connect to Lenovo's web portal to open a claim to obtain replacement parts for Lenovo equipment immediately.
- Reimbursement to the County for labor performed by ITD employees who are Lenovo Certified Technicians on Lenovo equipment covered by warranty. This enables the County to promptly perform its own repairs on Lenovo equipment and eliminates the wait for a third party to make repairs.
- Lenovo service training for County service technicians. This allows County Certified Technicians direct access to the Lenovo training web portal for technical training on current products.
- Replacement parts for Lenovo equipment under warranty.

The approval of this agreement will provide the critical support needed for Lenovo hardware such as personal computers, laptops and tablets in use throughout the County.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed the Lenovo agreement and cannot approve based upon the following non-standard provisions: vendors' unilateral right to increase fees on 30 days' notice; vendor's unilateral right to change agreement terms; limitations on the type of damages and amount of damages available to County; non-standard vendor right to terminate; absence of insurance naming the County as an additional insured; absence of vendor indemnification of the County; abbreviated statute of limitations; and non-standard choice of law and venue provisions

FINANCING:

The funds for payment of this agreement have been included in the Fiscal Year 2018-2019 Approved Budget for the Information Technology Department, ITD 1930, Unit 8434, Appropriations Unit INF002. Transactions relating to future fiscal years will be included in each respective Recommended Budget. Should funding be reduced and/or terminated, the County may terminate this agreement by giving thirty (30) days written notice of such action to the Contractor.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The execution of the proposed Lenovo agreement furthers the efficient administration of County business. Support and maintenance of Lenovo equipment is essential since most County Departments are standardized on Lenovo personal computer equipment.

 Economic Development

Administration

Health & Human Services

Infrastructure

Public Safety

Prepared by: Sandra Shaffer, Management Analyst III, 759-6957

Approved by:

_____ Date: _____
Eric A. Chatham, Director of Information Technology, 759-6920

Attachments: Agreement between the County of Monterey and Lenovo (United States), Inc.

Attachments on file with Clerk of the Board