



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers

168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: A 23-067

March 21, 2023

Introduced: 3/1/2023

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

- a. Authorize the Chief Information Officer to execute a non-standard Agreement with OpenText, incorporating the terms of State of California Software Licensing Program, California Department of General Services contractor Image Access Corp, Contract Number SLP-20-70-0315A, for software, maintenance, implementation, and training as needed for a term of March 21, 2023, to March 20, 2025, for a total contract amount of up to \$90,000; and
- b. Approve and authorize the Chief Information Officer, to execute order confirmations and such documents as are necessary to implement the agreement for the County's purchase of products, services, and support; and
- c. Accept non-standard agreement terms as recommended by the Chief Information Officer of the Information Technology Department; and
- d. Authorize the Chief Information Officer or designee to execute up to three (3) future amendments, subject to County Counsel review, to extend services by one (1) year per amendment and to allow for a ten percent (10%) annual increase per year provided the amendments do not significantly change the terms of the Agreement, including non-standard terms approved by the Board.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Authorize the Chief Information Officer to execute a non-standard Agreement with OpenText, incorporating the terms of State of California Software Licensing Program, California Department of General Services contractor Image Access Corp, Contract Number SLP-20-70-0315A, for software, maintenance, implementation, and training as needed for a term of March 21, 2023, to March 20, 2025, for a total contract amount of up to \$90,000; and
- b. Approve and authorize the Chief Information Officer, to execute order confirmations and such documents as are necessary to implement the agreement for the County's purchase of products, services, and support; and
- c. Accept non-standard agreement terms as recommended by the Chief Information Officer of the Information Technology Department; and
- d. Authorize the Chief Information Officer or designee to execute up to three (3) future amendments, subject to County Counsel review, to extend services by one (1) year per amendment and to allow for a ten percent (10%) annual increase per year provided the amendments do not significantly change the terms of the Agreement, including non-standard terms approved by the Board.

SUMMARY:

The Right Fax product has been used County-wide for over ten years to allow users to send faxes directly from their desktops. This product is important to the County because it is compliant with the privacy and security requirements of the Health Insurance Portability and Accountability Act (HIPPA).

The approval of this non-standard agreement will allow ITD to purchase necessary technology products and services at discounted rates through a cooperative agreement competitively bid through State of California Software Licensing Program, California Department of General Services contractor Image Access Corp, Contract Number SLP-20-70-0315A.

DISCUSSION:

Image Access Corp is the contractor for OpenText, which is offered under OpenText-SLP-2019. This contract is available for use by State of California departments and any city, county, special district, educational agency, local government body or corporation empowered to expend public funds. Image Access Corp is required to provide all SLP contract terms and conditions with the list of products, services, and prices. Terms and conditions listed within this contract are hereby incorporated by reference and made a part of the SLP Agreement and shall apply to the purchase of goods or services made under the Participating Agreement.

The State of California State Licensing Program (SLP) contract with Image Access Corp term is from October 16, 2020, through January 5, 2023. It was amended on April 29, 2021, to add "implementation services." A second amendment dated January 5, 2023, was finalized to extend the term of the SLP agreement through January 05, 2025. The County can piggyback off the SLP negotiated contract terms for awarded solicited proposals. This procurement process provides an effective, efficient mechanism for procurement of information technology (IT) related products and services, ensuring the prudent use of public funds.

Approval of this non-standard Agreement will allow the County to procure product and services at a discounted rate.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed and approved this non-standard agreement.

FINANCING:

Funds required for FY 2022-23 have been included in the FY 2022-23 Adopted Budget for the Information Technology Department, ITD 1930, Appropriations Unit INF002. Transactions relating to future fiscal years will be included in each respective Recommended Budget based upon the anticipated utilization of the services.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended non-standard agreement is for the use of RightFax products to keep the County in compliance with HIPPA.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Prepared by: Teresa Meister, Management Analyst II, 759-6938

Approved by:

DocuSigned by:

Date: 3/6/2023 | 9:46 PM PST
Eric A. Chatham, Chief Information Officer, 759-6920

Attachments:

OpenText Agreement & Amend. 1 & 2