



Monterey County

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Board Report

Legistar File Number: 15-1384

January 26, 2016

Introduced: 12/16/2015

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

- a. Approve and authorize the Contracts / Purchasing Officer or his designee to sign the UPS Systems Group Maintenance contract between the County of Monterey and Mitsubishi Electric Power Products, INC for the term of November 7, 2015 through November 6, 2016 for ensured power supply maintenance services for the Emergency Communications Department in a total amount not to exceed \$6,000.00 plus tax.
- b. Approve the non-standard terms and conditions contained in the vendor's contact pursuant to the recommendation of the Director of the Emergency Communications Department.
- c. Authorize up to three annual renewals/extensions with the same terms and conditions in an amount not to exceed 5% of the original annual contract amount per extended year (maximum of \$6,300.00 for each additional year).

RECOMMENDATION:

- a. Approve and authorize the Contracts / Purchasing Officer or his designee to sign the UPS Systems Group Maintenance contract between the County of Monterey and Mitsubishi Electric Power Products, INC for the term of November 7, 2015 through November 6, 2016 for ensured power supply maintenance services for the Emergency Communications Department in a total amount not to exceed \$6,000.00 plus tax.
- b. Approve the non-standard terms and conditions contained in the vendor's contact pursuant to the recommendation of the Director of the Emergency Communications Department.
- c. Authorize up to three annual renewals/extensions of the agreement with the same terms and conditions in an amount not to exceed 5% of the original annual contract amount per extended year (\$6,300.00 for each additional year).

SUMMARY/ DISCUSSION:

Mitsubishi Electric Power Products, INC, is the provider for back up battery power equipment that is designed to allow the Emergency Communications Dispatch Center to remain operational in the event of a commercial power outage of regular service, which serves as a gap in service prior to the initiation of generator power.

The term of this Maintenance Contract will allow for remedial parts and maintenance of the UPS Model 9700 located at the Emergency Communications Center in addition to annual preventative maintenance visits from Mitsubishi Electric Power Products, INC, to the Emergency Communications Center to ensure that the module is functioning properly.

The delay in submission of this requested action was due to extended discussions in an attempt to resolve the issues concerning non-standard terms and the unavailability of necessary parties.

OTHER AGENCY INVOLVEMENT:

This is a Non-Standard Agreement and was not approved by County Counsel nor Risk Management due to the existence of non-standard terms and conditions, including but not limited to the following: illegible terms; as-is performance; limited/no vendor liability; no warranty; no insurance; County required to indemnify vendor but vendor does not indemnify county; no fiscal cap on County liability under life of contract term; evergreen contract provision; service plan and payment terms not provided/included . County staff will need to monitor performance under the agreement to ensure that it does not inadvertently become perpetual.

FINANCING:

Costs of this maintenance agreement are included in the Fiscal Year 2015 / 2016 recommended budget for Emergency Communications. Future annual renewals will be included in future budgets.

Prepared by: Claudia S. Garza, Administrative Manager, 8887

Approved by: William Harry, Director of Emergency Communications, 8880

Attachments:

Mitsubishi Electric UPS Systems Group Maintenance Contract.pdf