



# Monterey County

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

## Board Report

Legistar File Number: A 19-283

July 16, 2019

**Introduced:** 7/2/2019

**Version:** 1

**Current Status:** Agenda Ready

**Matter Type:** BoS Agreement

- a. Authorize the Director of Information Technology, or his designee, to execute a Software Subscription Agreement with DoCircle, Inc. dba Trumpia, for subscription to use and access the Trumpia Media Messaging Toolkit, in the maximum amount of \$1,872 for the term of August 9, 2019 through August 8, 2020;
- b. Authorize the Director of Information Technology, or his designee, to execute order forms and such documents as are necessary to implement the agreement with DoCircle, Inc. for the County's use of subscription services; and
- c. Accept non-standard contract provisions as recommended by the Director of Information Technology.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Authorize the Director of Information Technology, or his designee, to execute a Software Subscription Agreement with DoCircle, Inc. dba Trumpia, for subscription to use and access the Trumpia Media Messaging Toolkit, in the maximum amount of \$1,872 for the term of August 9, 2019 through August 8, 2020;
- b. Authorize the Director of Information Technology, or his designee, to execute order forms and such documents as are necessary to implement the agreement with DoCircle, Inc. for the County's use of subscription services; and
- c. Accept non-standard contract provisions as recommended by the Director of Information Technology.

### SUMMARY/DISCUSSION:

The Media Messaging Toolkit is an SMS enabled notification service that ITD uses to alert subscribers in cases of unscheduled major infrastructure outages or to provide status updates during scheduled large-scale County IT infrastructure upgrades. For example, if AT&T has a major outage that effects 911 services, or 24x7 County facilities, the on-call ITD staff can send a message via the Media Messaging Toolkit to all subscribers letting them know what the cause of the issue is and when services have been restored. If the services affected have an impact on County constituents (911, Social or Health services), staff can make accommodations or employ alternative service plans. Users with cell phones can subscribe by texting the ITD account to request notifications be sent to their phone.

The Messaging Toolkit subscription was established with AT&T two years ago and has sent out an average of 6,000 messages per year. AT&T is no longer licensing or supporting the Messaging Toolkit and is helping migrate customers to the Trumpia platform. Trumpia will be providing the same services that were previously provided by AT&T including the migration of all existing customer data

and settings. Due to business practices, DoCircle will sign second to the County and return a fully executed agreement for ITD files.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed the proposed agreement and cannot approve due to the following nonstandard provisions: autorenewal, evergreen provisions; prepayment requirements; refusal to warranty that services are as promised; County's assumption of liability to Trumpia and obligation to defend and indemnify Trumpia; Trumpia's no refunds policy; County responsibility for collection costs in the event of nonpayment; non-standard venue provisions; and arbitration of disputes requirement.

FINANCING:

The funds for this service in the amount of \$1,872 have been included in the FY 2019-20 Adopted Budget for ITD 1930, Budget Unit 8434, Appropriations Unit INF002.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The Trumpia Messaging Toolkit allows ITD to communicate via text messages to subscribers in the case of a major unscheduled IT outage or to provide status updates during scheduled large scale IT infrastructure upgrades.

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

Prepared by: Lynnette Beardsall, Management Analyst II, 759-6938

Approved by:

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

Attachments: DoCircle, Inc. dba Trumpia Software Subscription Agreement

Attachments on file with Clerk of the Board