



Monterey County

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Report

Legistar File Number: A 15-053

March 24, 2015

Introduced: 3/13/2015

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

- a. Authorize the Contracts/Purchasing Officer to execute a State and Local Agency Enterprise Enrollment Volume Licensing Agreement with PCM-G, a Microsoft licensing reseller, for the provision of various enterprise software subscriptions and maintenance/support, for the period of April 1, 2015 through June 30, 2018, in the maximum amount of \$894,149;
- b. Accept non-standard contract provisions as recommended by the Director of the Information Technology Department; and
- c. Authorize the Contracts/Purchasing Officer to issue purchase orders on an as-needed basis pursuant this Agreement over the period of April 1, 2015 through June 30, 2018.

RECOMMENDATIONS:

It is recommended that the Board of Supervisors:

- a. Authorize the Contracts/Purchasing Officer to execute a State and Local Enterprise Enrollment Volume Licensing Agreement with PCM-G, a Microsoft licensing reseller, for the provision of various enterprise software subscriptions and maintenance/support, for the period of April 1, 2015 through June 30, 2018, in the maximum amount of \$894,149;
- b. Accept non-standard contract provisions as recommended by the Director of the Information Technology Department; and
- c. Authorize the Contracts/Purchasing Officer to issue purchase orders on an as-needed basis pursuant to this Agreement over the period of April 1, 2015 through June 30, 2018.

SUMMARY

It is requested that the Board authorize the Contracts/Purchasing Officer to sign a non-standard State and Local Agency Enterprise Enrollment Volume Licensing Agreement (Agreement) with PCM-G, a Microsoft licensing reseller, and to issue purchase orders on an "as needed" basis, in the aggregate amount not to exceed \$894,149 over the period of April 1, 2015 through June 30, 2018.

DISCUSSION:

Since 1990, software, licensing, subscription and maintenance have been provided directly through Microsoft or through an authorized third-party Microsoft vendor. The Microsoft authorized third party reseller to be used for the proposed Agreement is PCM-G. The following are examples of Microsoft products currently used by the County of Monterey: Office Professional; Project; Visio; Exchange Server for Email; Windows 2008 Server Operating System; CALS; Structured Query Language (SQL) Server; System Center Configuration Manager; SharePoint and Azure Multi Factor Authentication (MFA).

The proposed Agreement is non-standard for the County, but is based upon a standard agreement that Microsoft uses throughout the state and nation for governmental bodies. The proposed Agreement also allows the County to enroll with PCM-G for access to current and future Microsoft Enterprise Mobility suite products; it provides the County with flexibility to determine the level of services, maintenance/support, and licensing of other Microsoft tools that are necessary to accomplish County business. Based upon the County's past experience with this well-established company, and the fact that the proposed Agreement allows the County to make purchases an "as-needed" basis, the Director of the Information Technology Department (ITD) is recommending approval of this Agreement.

The Information Technology capital improvement initiatives facilitated by the proposed agreement have been reviewed and approved by ITD and the Information Technology Governance Committee.

Under the terms of the proposed Agreement, the County will review the Enterprise Enrollment on a yearly basis, and at the end of the contract period of three years, to identify the software license, subscription, maintenance/support and Microsoft tools needed by the County and to issue payments only for those products needed. The authority requested is for a limited time period, April 1, 2015 through June 30, 2018, to ensure that the Board is provided an opportunity to review progress, as recommended and reported by the Director of ITD, during infrastructure upgrades.

OTHER AGENCY INVOLVEMENT:

The Agreement was not approved by County Counsel and/or Risk Management due to the presence of the following non-standard and unacceptable terms/conditions in the Agreement: unstated or inadequately stated payment/financial liability provisions; inadequate/unstated vendor performance standards; referenced and incorporated contract provisions and documents that are not properly identified nor provided for review; contractual terms are subject to unilateral change/modification by vendor during term of agreement; inequitable termination provisions and no ability to terminate due to lack of funds.

FINANCING:

As this requested expense is part of the approved ITD CIP for current year, the funds for payment of this Agreement have been included in the FY14-15 Recommended Budget for the Information Technology Department, 1930, Unit 8435, Appropriation unit INF002. As ITD receives no General Fund contribution, reimbursement of expenditure will come from customers benefitting from this project. Customer departments have those funds built into their respective FY 2014-15 budgets as well. Any additional funding requirements over and above customer funding will be pulled from Workers Compensation Internal Service Fund per Board authorization on July 22, 2014. Future year expenditures were included in the complete ITD Capital Improvement Plan approved by the Capital Improvement Committee on April 7, 2014, and by the Budget Committee on April 30, 2014, with final acceptance by the Board of Supervisors on June 24, 2014. Future year funding will be included in the respective customer budgets for each of the respective fiscal years as is anticipated by each of the customer

departments.

Prepared by: Elizabeth Crooke, Management Analyst III, 755-5108

Approved by:

Dianah Neff, Director of Information Technology, 759-6923

Attachments:

- a. Microsoft Program Signature Form
- b. Microsoft Enterprise Enrollment
- c. Microsoft Enterprise Enrollment Licensing a Shared Device with Windows Intune Amendment ID CTM-M203
- d. Microsoft Enterprise Enrollment (Indirect) Amendment ID M268
- e. Microsoft Enterprise Enrollment (Indirect) Invoice for Quoted Price Amendment ID M97
- f. Microsoft Enterprise Enrollment Product Selection Form
- g. Microsoft Enterprise Enrollment Amendment ID CTM
- h. Microsoft Enterprise Enrollment Amendment ID M23
- i. PCM-G Quote
- j. Signed 7-22-14 Board Order Resolution 14-230 WC Funding - ITD CIP
- k. Signed 6-24-14 Board Order Report of IT Capital Projects
- l. ITD Capital Replacement Summary by FY