



# Monterey County

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## Board Report

Legistar File Number: A 16-335

October 18, 2016

**Introduced:** 10/5/2016

**Version:** 1

**Current Status:** Agenda Ready

**Matter Type:** BoS Agreement

- a. Authorize the Director or Acting Director of the Information Technology Department to execute a non-standard Support Agreement with Questys Solutions, in the aggregate amount of \$11,648.33 over three (3) years, for provision of hardware maintenance and support of County-owned Plasmon drives;
- b. Accept non-standard provisions as recommended by the Acting Director of Information Technology, and
- c. Authorize the Director or Acting Director of the Information Technology Department to sign up to two (2) amendments to this Agreement, subject to County Counsel review, extending service by one (1) year each, provided any increased cost does not exceed ten (10%) of the cost for the preceding year and provided the amendments do not significantly alter the terms of the Agreement, including non-standard provisions approved by the Board.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Authorize the Director or Acting Director of the Information Technology Department to execute a non-standard Support Agreement with Questys Solutions, in the aggregate amount of \$11,648.33 over three (3) years, for provision of hardware maintenance and support of County-owned Plasmon drives;
- b. Accept non-standard provisions as recommended by the Acting Director of Information Technology, and
- c. Authorize the Director or Acting Director of the Information Technology Department to sign up to two (2) amendments to this Agreement, subject to County Counsel review, extending service by one (1) year each, provided any increased cost does not exceed ten (10%) of the cost for the preceding year and provided the amendments do not significantly alter the terms of the Agreement, including non-standard provisions approved by the Board.

### SUMMARY/DISCUSSION:

In May 2002, the Board of Supervisors approved purchase, implementation, and software support for the County's Digital Information Management Program to address the need for the county to automate the imaging and agenda building systems. Originally purchased from Questys, the electronic content management system application allowed County departments to automate the document cataloging process. It also enabled the upload of documents electronically for archiving and future access while reducing the need for storage space previously necessary for paper file copies. Central to this application are Plasmon AA32 Drives which are used for the optical storage of documents. They enable the proper storage of the unalterable documents necessary for archiving. Questys continues to provide the software updates and support of the Plasmon AA32 Drives needed by the County.

On April 9, 2013 the Board approved the Agreement for software maintenance and support of

the Questys electronic content management system and maintenance and support for the pre-existing Plasmon AA32 drives. The yearly support provided by the agreement for support and maintenance of the Plasmon AA32 drives includes access to software fixes, new releases, online knowledge database access, and unlimited correspondence for technical support. Approval of the recommended action will allow County departments to continue to use this optical storage software to meet their business needs.

OTHER AGENCY INVOLVEMENT:

County Counsel does not approve the agreement based upon the following non-standard provisions: advance payment requirements; service charges for late payment, limitations on Questys warranty obligations, limitations on the type of and amount of damages available to the County; mutual indemnification provision, application of Colorado rather than California law; dispute arbitration requirements; Questys' right to assign the Agreement without County consent, and Questys' right to terminate the Agreement without consent. Risk does not approve non-standard indemnification provisions.

FINANCING:

The funds for payment of this Agreement have been included in the FY 2016-17 Approved Budget for the Information Technology Department, ITD 1930, Unit 8433, Appropriations Unit INF002. Transactions relating to future fiscal years will be included in each County Department's respective Recommended Budgets.

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

Approved by:

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Eric Chatham, Acting Director of Information Technology, 759-6920

Attachments: Questys Software Support Agreement

Attachments are on file with the Clerk of the Board