



# Monterey County

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## Board Report

Legistar File Number: A 18-426

October 23, 2018

**Introduced:** 10/10/2018

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** BoS Agreement

- a. Authorize the Director of the Information Technology Department to execute an Agreement with Carahsoft Technology Corporation, incorporating the terms of Carahsoft's existing State of Arizona's Agreement No. AR2472, via California Participating Addendum No. 7-17-70-40-05, to purchase DocuSign Enterprise Program for Government, system support and consulting services, for the period of October 31, 2018 through October 30, 2019, for a total contract amount of \$9,400;
- b. Authorize the Director of the Information Technology Department to execute order forms and such documents as are necessary to implement the agreement with Carahsoft for purchase of DocuSign products and support;
- c. Accept non-standard contract provisions as recommended by the Director of Information Technology; and
- d. Authorize the Director of Information Technology to sign, subject to prior County Counsel review, four (4) additional future order forms, extending the term of the agreement for one (1) additional year per order form, provided they do not change non-standard terms approved by the Board and provided any increases in cost do not exceed ten percent of the original contract amount (\$940 total maximum cost increase).

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Authorize the Director of the Information Technology Department to execute an Agreement with Carahsoft Technology Corporation, incorporating the terms of Carahsoft's existing State of Arizona's Agreement No. AR2472, via California Participating Addendum No. 7-17-70-40-05, to purchase DocuSign Enterprise Program for Government, system support and consulting services, for the period of October 31, 2018 through October 30, 2019, for a total contract amount of \$9,400;
- b. Authorize the Director of the Information Technology Department to execute order forms and such documents as are necessary to implement the agreement with Carahsoft for purchase of DocuSign products and support;
- c. Accept non-standard contract provisions as recommended by the Director of Information Technology; and
- d. Authorize the Director of Information Technology to sign, subject to prior County Counsel review, four (4) additional future order forms, extending the term of the agreement for one (1) additional year per order form, provided they do not change non-standard terms approved by the Board and provided any increases in cost do not exceed ten percent of the original contract amount (\$940 total maximum cost increase).

### SUMMARY

To test the feasibility of implementing electronic signatures and automated document management, it is requested that the Board of Supervisors authorize the Director of Information Technology to sign a

non-standard Agreement with Carahsoft Technology Corporation to purchase DocuSign Enterprise Program for Government.

DISCUSSION:

The Information Technology Department (ITD) is poised to implement, on a limited trial basis, automated workflows and electronic signatures through use of DocuSign software; the purpose of DocuSign is to accelerate day-to-day business transactions, and to enable easy, fast, secure ways to send, sign, manage and store County documents. It is expected that DocuSign or a similar product will eventually enable County departments to automate manual, paper-based processes, using a platform for managing all aspects of documented business transactions.

The federal E-Sign Act, the California Uniform Electronic Transactions Act, and Government Code section 16.5 provide that electronic signatures carry the same legal and evidentiary weight as pen-to-paper signatures. In California, for a digital signature to be used by a county, the digital technology first must be approved by the State of California. The State of California has approved DocuSign for public entities' use of electronic signatures.

The pilot project will be designed to assess DocuSign software compatibility with existing County systems and DocuSign ease of use. For this pilot project, ITD teamed with the Human Resources Department, Health Department, Department of Social Services (DSS) and Probation Office to deliver a proof of concept which could later be applied to all County Departments

- 1) For workflows that serve all departments, the combined team has chosen to pilot forms such as the New Employee Packet, Request to Fill Position, and Performance Appraisal Forms. These can be generalized to a template but can easily be customized by a County department or unit for its specific needs.
- 2) This pilot project includes specialty forms that specific departments and units use, such as ITD's Purchase Requisition Form, and DSS's Leave Request and Timesheet forms.
- 3) The pilot project will test the feasibility of integrating digital signatures with department applications, which leverages DocuSign's digital transaction management features for applications that County departments already have in place.

Should the pilot project demonstrate that use of DocuSign or a similar product increases speed to results, reduces costs, improves visibility and control, and provides excellent customer experiences, I.T.D. will return to the Board with a proposed policy implementing electronic signatures and paperless processes County-wide.

I.T.D. proposes to purchase DocuSign tools utilizing the State of California's adoption of a master agreement negotiated between Carahsoft Technology Corporation (Carahsoft) and the State of Utah. Carahsoft was chosen as a technology vendor through competitive bidding. In the master agreement, Carahsoft agrees to provide government entities with discounted prices for various technologies, including DocuSign, on terms which are non-standard to the County but which are more favorable to government entities than many technology agreements. To purchase DocuSign on the best terms and

the best pricing available, the Director of Technology recommends that the Board approve County use of the Carahsoft master agreement and associated exhibits for this purchase.

OTHER AGENCY INVOLVEMENT:

County Counsel concludes that electronic signatures are legally enforceable and carry the same evidentiary weight as pen-to-paper signatures.

County Counsel does not approve the following, non-standard provisions of the Carahsoft master agreement and associated exhibits: non-standard payment provisions, non-standard termination provisions, non-standard indemnification provisions; limits on the type of damages and the amount of damages available to the County in the event of vendor liability; non-standard insurance provisions; disclaimer of warranty; force majeure provisions; and mandatory, binding dispute resolution.

FINANCING:

The funds for this service in the amount of \$9,400 have been included in the FY18-19 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 respective Recommended Budget based upon the anticipated utilization of services.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Testing the feasibility of electronic signatures and other automated procedures is expected to streamline County document management, which will result in better customer service to the Monterey County public.

- ☐ 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: State of Utah Cooperative Contract AR2472 with Carahsoft Technology Corporation; State of California Participant Addenda to NASPO/Carahsoft Agreement No. 7-17-70-40-05 with Carahsoft Technology Corporation; General Provisions-Information Technology (GSPD-401IT); State Model Cloud Computing Services Special Provisions (Software as a Service) with Statement of Work and Service Level Agreement

Attachments on file with Clerk of the Board