



Monterey County

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

Board Report

Legistar File Number: A 19-079

April 23, 2019

Introduced: 4/5/2019

Version: 1

Current Status: Agenda Ready

Matter Type: BoS Agreement

- a. Approve and authorize the Director of Information Technology or his designee to execute a non-standard Service Agreement with Gartner, Inc., for the period of May 1, 2019 through April 30, 2022, for the provision of information technology advisory services in an amount not to exceed \$286,085;
- b. Accept non-standard provisions in the Service Agreement as recommended by the Director of Information Technology; and
- c. Authorize the Director of Information Technology to enter into up to two (2) additional one-year enrollment confirmations under the Service Agreement, where the amount of each additional enrollment confirmation is limited to no more than a three percent (3%) increase over the prior year, subject to County Counsel review and provided that the terms and conditions for the Service Agreement remain substantially the same.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Director of Information Technology or his designee to execute a non-standard Service Agreement with Gartner, Inc., for the period of May 1, 2019 through April 30, 2022, for the provision of information technology advisory services in an amount not to exceed \$286,085;
- b. Accept non-standard provisions in the Service Agreement as recommended by the Director of Information Technology; and
- c. Authorize the Director of Information Technology to enter into up to two (2) additional one-year enrollment confirmations under the Service Agreement, where the amount of each additional enrollment confirmation is limited to no more than a three percent (3%) increase over the prior year, subject to County Counsel review and provided that the terms and conditions for the Service Agreement remain substantially the same.

In 2003 the County of Ventura, with support from other government entities within the State of California, entered into a Master Contract with Gartner, Inc. for the provision of technology advisory services to include research, written evaluations, analysis and facilitating access to analysts and subject matter experts in the Information Technology (IT) industry. A Master Contract between the County of Ventura and Gartner, Inc. allowed California counties, including Monterey County, to utilize this resource at reduced rates. This resource is instrumental when considering possible IT solutions to meet County business needs. It provides information on current, state-of-the-art market products and opportunities, and a forum for communications with other counties and potential vendors, thus assisting with the decision-making process for future IT implementations for County departments.

On April 24, 2018, the Board of Supervisors approved an agreement for the purchase of research

services from Gartner Inc. for one year, and it authorized four additional one (1) year extensions, so long as the master agreement terms remained substantially similar. Thereafter, the County of Ventura entered into a new master agreement with Gartner, effective March 12, 2019, revising terms significantly. Thus, the Board's approval of a new service agreement with Gartner, incorporating the terms of the 2019 Ventura County master agreement, is recommended. Although the 2019 Ventura County master agreement terms are non-standard to the County, they are typical in the information technology industry. As part of Gartner's business practice, they require that the County sign first. Once the agreement has been fully executed, Gartner will send an original to ITD for their records.

The Director of Information Technology also requests authorization to execute two additional one-year enrollment confirmations, to purchase these services for a maximum of two (2) additional years, on the assumption that Ventura County and Gartner Inc. will continue the underlying Master Contract through its stated termination date, March 11, 2024. The requested authorization permits the execution of additional enrollment confirmations only if the Master Contract continues to provide for advantageous pricing. The requested authorization limits increases in cost to a maximum of three percent over the prior year and each future enrollment confirmation is subject to prior County Counsel review. If terms and conditions are changed differ substantially from those approved by the Board, staff will return to the Board for additional authority.

OTHER AGENCY INVOLVEMENT:

County Counsel does not approve the following non-standard provisions: termination provisions, eliminating County's right to terminate for convenience; default and cure provisions; non-standard insurance provisions; absence of Monterey County Superior Court venue; vendor's disclaimer of warranties; County acceptance of delivery of services "as is;" limitations on the types of damages available to County; payment in advance; and vendor option to increase prices on ten days' notice.

BOARD OF SUPERVISORS' STRATEGIC INITIATIVES:

Approval of the recommended agreement will enable ITD to ensure the County's information technology systems are secure against unauthorized intrusions and that County systems enable County staff to timely and accurately transact the County's many business functions.

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

FINANCING:

The total cost of the agreement is \$286,085, of which \$92,100 has been included in the FY 2019-20 Recommended Budget for the Information Technology Department, ITD 1930, Budget Unit 8439, Appropriations Unit INF002. Transactions relating to future fiscal years will be included in each respective Recommended Budget based upon the anticipated utilization of the services.

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

Approved by:

Eric A. Chatham, Director of Information Technology, 759-6920

Attachments: Gartner, Inc. Service Agreement with Monterey County; 2019 Master Agreement between the County of Ventura and Gartner Inc.