



## Legislation Details (With Board Report)

<b>File #:</b>	A 17-406	<b>Name:</b>	AviatCare Agreement
<b>Type:</b>	BoS Agreement	<b>Status:</b>	Passed
<b>File created:</b>	10/6/2017	<b>In control:</b>	Board of Supervisors
<b>On agenda:</b>	10/24/2017	<b>Final action:</b>	10/24/2017

**Title:** a. Approve and authorize the Contracts Purchasing Officer or the Contracts Purchasing Supervisor to execute a non-standard Agreement with Aviat U.S., Incorporated in the amount of \$22,092 for the provision of microwave equipment off-site hardware repair, equipment replacement, and remote technical support retroactive to March 18, 2017 through March 17, 2020; and  
 b. Accept the non-standard language as recommended by the Director of Information Technology; and  
 c. Authorize the Contracts Purchasing Officer to sign up to three (3) future renewals to this Agreement, extending the Agreement by one (1) year each, subject to County Counsel review, under the same or similar terms, and provided there are no significant changes to the non-standard language approved by the Board and the increased cost of each renewal does not exceed 10 percent of the original amount (\$2,375 maximum increased cost per renewal).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. AviatCare Agreement, 3. Completed Board Order

Date	Ver.	Action By	Action	Result
10/24/2017	1	Board of Supervisors	approved	

a. Approve and authorize the Contracts Purchasing Officer or the Contracts Purchasing Supervisor to execute a non-standard Agreement with Aviat U.S., Incorporated in the amount of \$22,092 for the provision of microwave equipment off-site hardware repair, equipment replacement, and remote technical support retroactive to March 18, 2017 through March 17, 2020; and  
 b. Accept the non-standard language as recommended by the Director of Information Technology; and  
 c. Authorize the Contracts Purchasing Officer to sign up to three (3) future renewals to this Agreement, extending the Agreement by one (1) year each, subject to County Counsel review, under the same or similar terms, and provided there are no significant changes to the non-standard language approved by the Board and the increased cost of each renewal does not exceed 10 percent of the original amount (\$2,375 maximum increased cost per renewal).

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

a. Approve and authorize the Contracts Purchasing Officer or the Contracts Purchasing Supervisor to execute a non-standard Agreement with Aviat U.S., Incorporated in the amount of \$22,092 for the provision of microwave equipment off-site hardware repair, equipment replacement, and remote technical support retroactive to March 18, 2017 through March 17, 2020; and

b. Accept the non-standard language as recommended by the Director of Information Technology; and

c. Authorize the Contracts Purchasing Officer to sign up to three (3) future renewals to this Agreement, extending the Agreement by one (1) year each, subject to County Counsel review, under the same or similar terms, and provided there are no significant changes to the non-standard language approved by the Board and

the increased cost of each renewal does not exceed 10 percent of the original amount (\$2,375 maximum increased cost per renewal).

SUMMARY/DISCUSSION:

The County of Monterey, Information Technology Department (ITD) manages a diverse microwave network with Aviat equipment as one of multiple hardware brands utilized. The Aviat brand of products provides microwave support for the County phone, network, and public safety radio communications, including the Next Generation (NGEN) digital radio system.

Currently, ITD provides the maintenance and support of the Aviat devices on site. The Board's approval of the recommended Agreement will permit County radio communications technicians to obtain hardware repair/replacement as needed, and to access remote technical support from the manufacturer of the Aviat devices. The Board's approval of the recommended Agreement will also ensure warranties on Aviat products are extended during the three-year term of the Agreement. This maintenance agreement is retro-active due to an administrative oversight meeting the renewal deadline. The renewal process began approximately five months ago but was delayed due vendor negotiations regarding changes in annual rates over the duration of the contract. Oversight measures, and personnel, are now in place to ensure all future deadlines are met prior to expiration.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed the agreement with Aviat U.S., Incorporated and cannot approve due to the following non-standard provisions: payment for services in advance, annually; absence of insurance provisions protecting the County; limitation on the amount of and type of vendor's liability to the County, in the event of breach of contract; County obligation to indemnify vendor for third party claims; limitations on vendor's warranty obligations; imposition of late fees for late payment; and non-standard venue provisions. Risk does not approve non-standard insurance or indemnity provisions.

FINANCING:

The cost of this agreement is \$22,092, of which \$7,364 has been included in the FY 17-18 Adopted Budget for the Information Technology Department ITD1930, Unit 8436, appropriations Unit INF002. Transactions relating to future fiscal years will be included in each respective Recommended Budget. Should funding be reduced and/or terminated, the County may terminate this Agreement by giving thirty (30) days written notice.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The execution of the proposed Aviat U.S., Incorporated Agreement furthers the efficient support of County business by enabling the County to provide microwave support for the County's phone, network and public safety radio communications.

Mark a check to the related Board of Supervisors Strategic Initiatives

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

Prepared by: Sandra Shaffer, Management Analyst III, 759-6957

Approved by:

Date: \_\_\_\_\_

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

Attachments: AviatCare Agreement

Attachments are on file with the Clerk of the Board