



County of Monterey

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

Legislation Details (With Board Report)

| | | | |
|----------------------|--|----------------------|--------------------------------|
| File #: | A 16-078 | Name: | BrainStorm QuickHelp Agreement |
| Type: | BoS Agreement | Status: | Passed |
| File created: | 3/24/2016 | In control: | Information Technology |
| On agenda: | 4/12/2016 | Final action: | 4/12/2016 |
| Title: | a. Approve and authorize the Contracts Purchasing Officer or Contracts Purchasing Supervisor to execute a non-standard Agreement with BrainStorm, Inc. for subscriptions to QuickHelp and three (3) hours of installation support, for the term of June 20, 2016 to March 19, 2017, in the amount of \$29,880.00; b. Accept the non-standard language as recommended by the Director of Information Technology; and c. Authorize the Contracts Purchasing Officer to issue purchase orders on an as-needed basis as recommended by the Director of Information Technology. | | |

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Exhibit A, BrainStorm Inc Agreement, 3. Exhibit B, BrainStorm Inc SOW, 4. Exhibit C, End-User License Agreement (EULA), 5. Completed Board Order, 6. Fully Executed Agreement between the County of Monterey and BrainStorm, Inc.

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|----------|--------|
| 4/12/2016 | 1 | Board of Supervisors | approved | |

- a. Approve and authorize the Contracts Purchasing Officer or Contracts Purchasing Supervisor to execute a non-standard Agreement with BrainStorm, Inc. for subscriptions to QuickHelp and three (3) hours of installation support, for the term of June 20, 2016 to March 19, 2017, in the amount of \$29,880.00;
- b. Accept the non-standard language as recommended by the Director of Information Technology; and
- c. Authorize the Contracts Purchasing Officer to issue purchase orders on an as-needed basis as recommended by the Director of Information Technology.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Contracts Purchasing Officer or Contracts Purchasing Supervisor to execute a non-standard Agreement with BrainStorm, Inc. for subscriptions to QuickHelp and three (3) hours of installation support, for the term of June 20, 2016 to March 19, 2017, in the amount of \$29,880.00;
- b. Accept the non-standard language as recommended by the Director of Information Technology; and
- c. Authorize the Contracts Purchasing Officer to issue purchase orders on an as-needed basis as recommended by the Director of Information Technology.

SUMMARY/DISCUSSION:

It is requested that the Board of Supervisors authorize the Contracts/Purchasing Officer or the Contracts Purchasing Supervisor to sign a non-standard Agreement with BrainStorm, Inc., to purchase four thousand (4,000) subscriptions to QuickHelp, a self-help training solution. QuickHelp will provide online, user-level training and monthly webcasts in support of, but not limited to, Microsoft Office 365, SharePoint and OneDrive. Brainstorm, Inc. will also provide three (3) hours of installation support to the County.

The County will be deploying Microsoft Office 365 to all County users which will be a significantly different experience for staff as compared to previous versions of Microsoft Office. QuickHelp will provide each County user with short, online tutorials that will provide the tools needed for the County staff to use Office 365 tools correctly. This will minimize loss of productivity as users familiarize themselves with the new software, and will allow users to tailor their training to what is relevant to them, on their own schedule.

Microsoft has agreed to provide the first three (3) months of QuickHelp training at no cost to the County; the County will provide an additional nine (9) months of training. This will allow staff to access QuickHelp tutorials for one year. In addition to the online tutorials, QuickHelp will provide monthly professional training webcasts available to all County staff.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed the Agreement with Brainstorm and cannot approve due to the following non-standard provisions: non-standard indemnity provisions; warranty limitations and “as-is” acceptance of product; limits on amount of and types of liability to the County; shortened statute of limitations; waiver of bond requirement to obtain injunctive relief against the County; and non-standard termination provisions; non-standard venue provisions. Risk does not approve non-standard indemnity provisions.

FINANCING:

The funds to be paid to BrainStorm Inc., will be paid by the County. This expense is included in the approved ITD CIP for current year as part of Office 365. The funds for payment of this Agreement have been included in the FY 15-16 Approved Budget for the Information Technology Department (ITD), 1930, Unit 8435, Appropriations unit INF002. As ITD receives no General Fund contribution, reimbursement of expenditures will come from customers benefitting from this project. Customer departments have those funds built into their respective FY 15-16 budgets as well.

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

Approved by: Dianah Neff, Director of Information Technology, 759-6923

Attachments:

- a. Exhibit A, Agreement
- b. Exhibit B, Scope of Work
- c. Exhibit C, End-User License Agreement (EULA) for BrainStorm QuickHelp

Attachments are on file with the Clerk of the Board