

Provision of services through HughesNet will allow Monterey County Free Libraries to offer Wi-Fi access to patrons using the Big Sur Branch Library.

The proposed PSA in the amount of \$ 4,477.56 will fund services during a two (2) year period, from July 1, 2014 through June 30, 2016.

DISCUSSION/ OTHER AGENCY INVOLVEMENT:

The proposed Agreement has been reviewed and approved by the Auditor-Controller's Office as to fiscal terms, and by Risk Management regarding insurance and indemnification provisions. The proposed Agreement has been reviewed but not approved by the Office of the County Counsel due to non-standard terms and conditions, including but not limited to as-is provision of services, limited/no liability for services/ performance/ third party liability/ damage from equipment, absolute liability for payment or excessive penalties for early termination, no refund of pre-payment, vague internet reference to documents comprising 'agreement', out of state venue, and indemnification of vendor by County for vendor performance.

The Department acknowledges these shortcomings in the vendor's agreement, but given the nature of the agreement, its relatively low cost and the fact that the vendor is well-established in its field, the Department considers the potential risks to the County to be outweighed by the benefits to Departmental constituents.

FINANCING:

The recommended Professional Services Agreement (PSA) provides for a total amount of \$ 4,477.56 over a two year period. A contractual provision allows for a setup fee of \$499.00 and a monthly subscription fee of \$149.00 for a two year (2) subscription. Total payment for the two year subscription is \$4,477.56. Funds have been included in the Library Budget Unit 6110 for FYs 2014 -15 to cover the cost of this PSA. In addition, the Friends of the Big Sur Library group has committed to providing \$3,000.00 in support of this project. Approval will have no impact on the County General Fund.

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Approved by:

Jayanti Addleman, Library Director, (831)883-7566

Attachments:

HughesNet Quote for Gen4 Service
HughesNet Subscription Agreement for Small Business Service Plans
Hughes Internet Access Solutions for Government - Flyer and Informational Material
Sole Source Document