



## Legislation Details (With Board Report)

**File #:** 13-0447      **Name:** Oracle  
**Type:** General Agenda Item      **Status:** Passed  
**File created:** 5/1/2013      **In control:** Board of Supervisors  
**On agenda:** 5/14/2013      **Final action:** 5/14/2013

**Title:** a. Approve and authorize the Contracts/Purchasing Officer to utilize the Oracle maintenance and support Agreement approved in November 2012 for services to be provided by Information Technology Department to the Monterey County Water Resources Agency as a master agreement for similar services to be provided for ITD clients county-wide.  
b. Approve and authorize the Contracts/Purchasing Officer to issue purchase orders as requested by other County Departments who are already in possession of Oracle software licenses for maintenance/support from Oracle with the total of all purchase orders not to exceed \$100,000 per year; and  
c. Authorize the Auditor/Controller's Office to issue payments on a yearly basis for the maintenance/support of the licenses purchased as the individual departments have determined are needed on a yearly basis.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Oracle Technical Support Services Agreement\_Fully Executed, 2. Oracle Board Order\_\_November 2012, 3. Completed Board Order

Date	Ver.	Action By	Action	Result
5/14/2013	1	Board of Supervisors	approved	

a. Approve and authorize the Contracts/Purchasing Officer to utilize the Oracle maintenance and support Agreement approved in November 2012 for services to be provided by Information Technology Department to the Monterey County Water Resources Agency as a master agreement for similar services to be provided for ITD clients county-wide.  
b. Approve and authorize the Contracts/Purchasing Officer to issue purchase orders as requested by other County Departments who are already in possession of Oracle software licenses for maintenance/support from Oracle with the total of all purchase orders not to exceed \$100,000 per year; and  
c. Authorize the Auditor/Controller's Office to issue payments on a yearly basis for the maintenance/support of the licenses purchased as the individual departments have determined are needed on a yearly basis.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Contracts/Purchasing Officer to utilize the Oracle maintenance and support Agreement approved in November 2012 for services to be provided by Information Technology Department to the Monterey County Water Resources Agency as a master agreement for similar services to be provided for ITD clients county-wide.
- b. Approve and authorize the Contracts/Purchasing Officer to issue purchase orders as requested by other County Departments who are already in possession of Oracle software licenses for maintenance/support from Oracle with the total of all purchase orders not to exceed \$100,000 per year; and
- c. Authorize the Auditor/Controller's Office to issue payments on a yearly basis for the maintenance/support of the licenses purchased as the individual departments have determined are needed on a yearly basis.

SUMMARY/DISCUSSION:

The Monterey County Information Technology Department (ITD) manages the software licensing and maintenance/support services for Oracle software purchased for or by County Departments and other approved public entities. On November 7, 2012, ITD requested approval from the Board to enter into an Oracle Public Sector Technical Support Services Agreement (TSSA) to provide such services to the Monterey County Water Resources Agency in an amount not to exceed \$17,497. The TSSA included non-standard insurance and indemnity language, terms, and conditions, and could not be otherwise processed without Board approval.

The TSSA that was executed in November 2012 was unilaterally considered a master agreement by Oracle and, as such, Oracle does not require a new and separate agreement for each unique type of Oracle software license. It is staff's recommendation that the County accept the TSSA as a master agreement between the County and Oracle so that all future purchases of software licenses through Oracle would be covered under the terms and conditions of the TSSA. Oracle will provide the County with a yearly quote for the licenses and, should the individual department choose to continue the use of the license, the individual department can either proceed with a purchase order for payment or have ITD facilitate the payment. The TSSA would then apply to all licenses purchased by the various departments and entities of the County of Monterey. The technical support/maintenance would not be subject to an automatic renewal and, should the individual department or entity determine that the licenses are no longer needed or should funding no longer be available, the County would simply not make the yearly payment for the technical support with no further obligation. There is no minimum payment requirement as a result of the TSSA, as it would cover all licenses currently owned by the departments supported by ITD or future purchases that need support should the County choose to pay for it.

Although the existing TSSA could cover all maintenance/support, it is the desire and intent of the Director of Information Technology to receive approval by the Board at this time to acquire maintenance/support for all Oracle licenses currently utilized by County Departments and other authorized entities and those that are considering the purchase of licenses to meet their business needs with a maximum aggregate amount not to exceed \$100,000 yearly. As such, the purchase orders could be processed within the standard threshold for contracts to be executed and monitored by the Contracts/Purchasing Officer. The approval of the recommendation by the Board will allow for County Departments and other authorized entities to receive technical support/maintenance facilitated by ITD on Oracle software without needing to bring the matter to the Board individually since the TSSA will have already been approved and executed to cover them by this action.

OTHER AGENCY INVOLVEMENT:

The TSSA was previously not approved by County Counsel and Risk Management in November 2012, due to the non-standard insurance and indemnity language. No additional objections have been raised at this time.

FINANCING:

Transactions relating to each fiscal year will be included in each respective County Department or entity Recommended Budget. For maintenance/support of licenses for other departments and entities, ITD will include the cost in the Recommended Budget but will charge back the user department and/or entity. As with all maintenance/support for software licenses, the fee will be paid up front once a year.

Prepared by: Sarah House, Management Analyst III, 755-5108

Approved by:

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Dianah Neff, Director of Information Technology

Dated: May 3, 2013

Attachments:

Original TSSA Executed

Original Board Order - November 2012