



Board Report

File #: A 23-369, **Version:** 1

- a. Approve and authorize the Contracts/Purchasing Officer or their designee to execute a Non-Standard Agreement with TT FASTER LLC (Agreement) with non-standard provisions in an amount not to exceed \$171,713.84, with a retroactive term from June 1, 2023 to June 30, 2025, for Turn-Key Fleet Management Operations System Software Web Hosting and Maintenance Support Services.
- b. Approve non-standard agreement provisions as recommended by the Director of Public Works, Facilities and Parks; and
- c. Authorize the Contracts/Purchasing Officer or their designee to sign subject to prior review and approval as to form by the Office of the County Counsel-Risk Manager, up to three (3) amendments, each extending the term by one year, where the additional costs of each Amendment do not exceed 10% (\$17,171.38) of the original contract amount of \$171,713.84, bringing the total maximum cumulative cost increase to \$51,514.14 and potential overall Agreement aggregate Not to Exceed amount to \$223,227.98 even if no additional Agreements are entered into.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Contracts/Purchasing Officer or their designee to execute a Non-Standard Agreement with TT FASTER LLC with non-standard provisions in an amount not to exceed \$171,713.84, with a retroactive term from June 1, 2023 to June 30, 2025, for Turn-Key Fleet Management Operations System Software Web Hosting and Maintenance Support Services.
- b. Approve non-standard agreement provisions as recommended by the Director of Public Works, Facilities and Parks; and
- c. Authorize the Contracts/Purchasing Officer or their designee to sign subject to prior review and approval as to form by the Office of the County Counsel-Risk Manager, up to three (3) amendments, each extending the term by one year, where the additional costs of each Amendment do not exceed 10% (or \$17,171.38) of the original contract amount of \$171,713.84, bringing the total maximum cumulative cost increase to \$51,514.14 and potential overall Agreement aggregate Not to Exceed amount to \$223,227.98 even if no additional Agreements are entered into.

SUMMARY/DISCUSSION:

Public Works, Facilities and Parks (PWFP) wishes to enter into a non-standard agreement with TT FASTER LLC (FASTER), to continue utilizing FASTER's fleet management operations system and support services. In 2013, Fleet conducted a competitive Request for Proposals #10417 to identify a fleet management operations system, to replace its outdated system operating on an unsupported platform, which met the County's needs. The contract was awarded to CCG Systems, Inc., dba FASTER Asset Solutions (FASTER Asset Solutions), and the system has proved satisfactory in providing Fleet with a comprehensive management platform.

Subsequent to the contract award, FASTER Asset Solutions was bought out by FASTER, requiring an update to contract documents. Staff determined that transferring services to a new agreement with the assuming company (FASTER) would be the best transition approach. This Agreement is being brought to the Board of Supervisors in late-August due to the time needed to collect vendor and Agreement documents and the Board of Supervisors summer recess. This service is necessary to maintain County's Fleet operations.

PWFP recommends approval of the proposed non-standard agreement with FASTER. The proposed agreement is non-standard due to modifications to provisions at Section 7. Termination - to provide for a 90-day notice of termination and no prorating of amounts due if terminated, in Section 7.01; at Section 8.0 Indemnification - to state “negligence” instead of “sole negligence” in the indemnification language; at Section 10.0 Records and Confidentiality - to eliminate the Royalties and Inventions requirement in Section 10.5; and at Section 12.0 Compliance With Terms of State or Federal Grants - to add additional language stating, “No state or federal funds are used in this agreement.”

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and the Auditor-Controller’s Office have reviewed and approved the proposed non-standard agreement as to form and fiscal provisions, respectively.

FINANCING:

The cost to the County for this Agreement is not to exceed \$171,713.84 for the term beginning June 1, 2023 and ending June 30, 2025. Of this amount, \$87,000 is included in the Fiscal year 2023-24 Adopted Budget for General Fund 001, Unit 8577, Appropriation Unit PFP065. For the remainder of the term, the unused balance of the not-to-exceed amount will be included in the Fiscal Year 2024-25, plus any additional costs with the allowed limit per amendment, if necessary.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

A comprehensive fleet management software system is critical to keeping County fleet operations functioning.

Economic Development

Administration

Health & Human Services

Infrastructure

Public Safety

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Reviewed by: John Snively, Administrative Operations Manager
Lindsay Lerable, Chief of Facilities

Approved by: Randy Ishii, MS, PE, TE, PTOE
Director of Public Works, Facilities and Parks

The following attachment is on file with the Clerk of the Board:
Attachment A - Agreement with TT FASTER LLC