



County of Monterey

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

Board Report

File #: 14-290, **Version:** 1

- a. Approve and authorize the Contracts/Purchasing Officer to execute an AviatCare Services and Maintenance Agreement with Aviat U.S., Inc in the amount of \$7,540 for the period of March 18, 2014 through March 17, 2015, \$7,906 for the period of March 18, 2015 through March 17, 2016, and \$7,906 for the period of March 18, 2016 through March 17, 2017 for the provision of microwave equipment off-site hardware repair, replacement, and remote technical support;
- b. Accept the same non-standard County Liability and Indemnification Provisions; and
- c. Authorize the Contracts/Purchasing Officer to sign up to three future renewals to this Agreement under the same or similar terms.

RECOMMENDATIONS:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Contracts/Purchasing Officer to execute an AviatCare Services and Maintenance Agreement with Aviat U.S., Inc in the amount of \$7,540 for the period of March 18, 2014 through March 17, 2015, \$7,906 for the period of March 18, 2015 through March 17, 2016, and \$7,906 for the period of March 18, 2016 through March 17, 2017 for the provision of microwave equipment off-site hardware repair, replacement, and remote technical support;
- b. Accept the same non-standard County Liability and Indemnification Provisions; and
- c. Authorize the Contracts/Purchasing Officer to sign up to three future renewals to this Agreement under the same or similar terms.

SUMMARY/DISCUSSION:

The County of Monterey, Information Technology Department (ITD) manages a diverse microwave network with Aviat being one of multiple hardware brands. The Aviat brand of products provide 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. Approval of this recommended action will allow for County radio communications technicians to obtain hardware repair/replacement as needed and remote technical support from the manufacturer for the Aviat devices. The approval of this recommended action will also ensure warranty extension of Aviat products during the term of the Agreement.

OTHER AGENCY INVOLVEMENT:

County Counsel is unable to approve the agreement due to non-standard terms and conditions, including: limited or no liability on the part of the provider, inadequate insurance protection, jurisdiction outside of Monterey County, inequitable terms in the event of termination, lack of definite costs, lack of mutuality of terms, terms and conditions referenced but not provided, requirement that County indemnify vendor against claims of third parties, and vendor ability to change terms and prices without notice or opportunity to decline by County.

FINANCING:

The funds for payment of this Agreement have been included in the FY 2013-14 Adopted Budget for the

Information Technology Department, ITD 1930, Unit 8140, 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.

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

Approved by:

Dianah Neff, Director of Information Technology

Dated: March 31, 2014

Attachment: AviatCare Services and Maintenance Agreement