



County of Monterey

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

Board Report

File #: 14-332, **Version:** 1

Approve and authorize the Library Director or Designee to enter into a Professional Services Agreement (PSA) with HughesNet, for public satellite internet services for the Big Sur Branch Library in the amount of \$4,477.56 for a two (2) year period, from July 1, 2014 through June 30, 2016.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Library Director or Designee to enter into a Professional Services Agreement (PSA) with HughesNet, for public satellite internet services for the Big Sur Branch Library in the amount of \$4,477.56 for a two (2) year period, from July 1, 2014 through June 30, 2016.

SUMMARY:

Wi-Fi is considered a core service in Monterey County Free Libraries' branches. Twelve branches already have Wi-Fi available for public use. Big Sur is one of the few branches that does not currently provide public access to Wi-Fi. The County library has been attempting to provide this service for several years but technological challenges and geographic limitations have prevented this from happening.

The recommended action will enable Monterey County Free Libraries (MCFL) to provide public Wi-Fi access at the Big Sur Branch Library.

Monterey County IT Department requires MCFL to provide Wi-Fi services to the public separate from the Monterey County computer network for security reasons. Other branches of MCFL do this through DSL connections from AT&T. DSL is not available in Big Sur, however limited satellite services are available. HughesNet is the only commercial service that provides Internet connectivity to business customers in the Big Sur area that also meets the requirements of Monterey County IT and the Library system; because of this, it is the recommendation that HughesNet be approved as a sole source provider for these services to the Big Sur library facility.

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