



## Board Report

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**File #: A 19-418, Version: 1**

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- a. Authorize the Director of the Information Technology Department to execute a non-standard Master Services Agreement with DocuSign, Inc., to purchase DocuSign Enterprise Program for Government and system support, for the retroactive term of October 31, 2019 through October 30, 2020, for a total contract amount of \$19,980;
- b. Authorize the Director of the Information Technology Department to execute order forms and such documents as are necessary to implement the agreement with Carahsoft for purchase of DocuSign products and support;
- c. Accept non-standard contract provisions as recommended by the Director of Information Technology; and
- d. Authorize the Director of Information Technology to sign, subject to prior County Counsel review, four (4) additional future order forms, extending the term of the agreement for one (1) additional year per order form, provided they do not change non-standard terms approved by the Board and provided any increases in cost do not exceed ten percent of the original contract amount (\$1,998 total maximum cost increase).

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Authorize the Director of the Information Technology Department to execute a non-standard Master Services Agreement with DocuSign, Inc., to purchase DocuSign Enterprise Program for Government and system support, for the retroactive term of October 31, 2019 through October 30, 2020, for a total contract amount of \$19,980;
- b. Authorize the Director of the Information Technology Department to execute order forms and such documents as are necessary to implement the agreement with Carahsoft for purchase of DocuSign products and support;
- c. Accept non-standard contract provisions as recommended by the Director of Information Technology; and
- d. Authorize the Director of Information Technology to sign, subject to prior County Counsel review, four (4) additional future order forms, extending the term of the agreement for one (1) additional year per order form, provided they do not change non-standard terms approved by the Board and provided any increases in cost do not exceed ten percent of the original contract amount (\$1,998 total maximum cost increase).

### SUMMARY/DISCUSSION:

In June 2019, the Information Technology Department (ITD) piloted automated workflows and electronic signatures through DocuSign Software-as-a-Service. The successful pilot project with ITD and Resource Management Agency (RMA) confirmed DocuSign software compatibility with existing County systems and DocuSign ease of use. Most importantly, the pilot demonstrated that DocuSign increases speed test results, reduces costs, improves visibility and control, and provides excellent customer experiences. ITD is currently deploying DocuSign to the Human Resources Department and to Contracts and Purchasing, and both departments have already seen these benefits.

ITD is plans to roll out DocuSign to all County departments, in order to accelerate County departments' day-to-day business transactions and to enable easy, fast, secure ways to send, sign, manage and store County documents. ITD has already begun training County employees on DocuSign and will continue to, as part of the roll out. ITD will ensure County employees who use DocuSign are adequately trained prior to use. DocuSign will eventually enable County departments to automate manual, paper-based processes, using a platform for

managing all aspects of documented business transactions.

It is requested that the Board of Supervisors authorize the Director of Information Technology to sign a non-standard Agreement with DocuSign, Inc. to purchase the DocuSign Enterprise Program for Government.

**OTHER AGENCY INVOLVEMENT:**

The federal E-Sign Act, the California Uniform Electronic Transactions Act, and Government Code section 16.5 provide that electronic signatures carry the same legal and evidentiary weight as pen-to-paper signatures. In California counties, the digital technology first must be approved by the State of California before a county can use it. The State of California has approved DocuSign for public entities' use of electronic signatures. Thus, when used for the purposes contemplated by ITD, County Counsel defers to the state approval of DocuSign and concurs that electronic signatures used by DocuSign are legally enforceable and carry the same weight as pen-to-paper signatures.

As to the agreement itself, County Counsel does not approve the vendor-generated agreement with non-standard terms and conditions.

**FINANCING:**

The funds for this service in the amount of \$19,980 have been included in the FY19-20 Adopted Budget for the Information Technology Department, ITD 1930, Budget Unit 8433, Appropriations Unit INF002. Transactions relating to future fiscal years will be included in each respective Recommended Budget based on the anticipated utilization of services.

**BOARD OF SUPERVISORS STRATEGIC INITIATIVES:**

Electronic signatures and workflow automation streamlines the County's transaction processing and document management, resulting in better customer service to Monterey County residents, visitors and business partners.

- ☐ Economic Development
- ☒ Administration
- ☐ Health & Human Services
- ☐ Infrastructure
- ☐ Public Safety

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Approved by:

Date: \_\_\_\_\_

Eric A. Chatham, Director of Information Technology, 759-6920

Attachments on file with Clerk of the Board: Docusign, Inc. Master Service Agreement; Docusign, Inc. Pricing