



County of Monterey

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

Board Report

File #: A 20-063, **Version:** 1

Authorize the Director of the Information Technology Department to execute amendment no. 3 to the services agreement with Open Text, Inc. for support of Right Fax, increasing the agreement by \$9,276.59, for a revised agreement total of \$38,995.18, and extending the term by one (1) year, for a revised agreement term of July 1, 2016 through June 30, 2021.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Authorize the Director of the Information Technology Department to execute amendment no. 3 to the services agreement with Open Text, Inc. for support of Right Fax, increasing the agreement by \$9,276.59, for a revised agreement total of \$38,995.18, and extending the term by one (1) year, for a revised agreement term of July 1, 2016 through June 30, 2021.

SUMMARY/DISCUSSION

The County has used the Right Fax product for over five years. Right Fax allows users to send a fax from their desktops. Approximately 500 County employees use this product. The product is important to the County because it is compliant with the privacy and security requirements of the Health Insurance Portability and Accountability Act (HIPPA).

Right Fax is manufactured by Open Text Inc. On November 17, 2017, the Board approved a non-standard 3-year agreement with Open Text in the amount of \$17,802 for support and maintenance of Right Fax. On June 5, 2018, the Board approved amendment No. 1 to this agreement, to add support and maintenance of the FOIP Enable Delivery Channel function. Amendment No. 1 added \$2,640 to the existing agreement, for a total amount of \$20,442 over a three-year term. In March of 2019, the Board approved Amendment No. 2 adding an additional \$9,276.59 for support of all Right Fax functions and to extend the term of the agreement by an additional year, from July 1, 2019 to June 30, 2020.

Proposed Amendment No. 3 adds an additional \$9,276.59 for a revised agreement total of \$38,995.18 and extends the agreement term by one (1) additional year for an agreement term of July 1, 2016 through June 30, 2021.

Non-standard terms in the Agreement previously approved by the Board are unchanged by the amendment.

OTHER AGENCY INVOLVEMENT:

County Counsel does not approve continuance of non-standard terms. County Counsel reviewed Amendment No. 3 as to form.

Auditor-Controller reviewed the agreement with OpenText and cannot approve due to the following non-standard provisions: charges for late payments and absence of clause stating the Auditor-Controller shall pay the amount within 30 days of receiving the certified invoice.

FINANCING:

The funds for payment of the costs of this Agreement have been included in the FY20-21 Recommended Budget for the Information Technology, ITD 1930, Budget Unit 8436, Appropriations Unit INF002.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Right Fax desktop faxing application is used by over 300 County employees to share information in support County Constituents. To ensure that this application is working and secure, manufacturer's support is needed to provide technical support and access to software updates.

☐ Economic Development
☒ Administration
☒ Health and Human Services
☒ Infrastructure
☐ Public Safety

Prepared by: Lynnette Beardsall, Management Analyst II, 759-6938

Approved by:

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

Attachments:

Original agreement with Open Text Inc.
Open Text, Inc. Amendment No. 1
Open Text, Inc. Amendment No. 2
Open Text, Inc. Amendment No. 3

Attachments are on file with the Clerk of the Board