



County Executive Office

Memorandum

June 16, 2021

To: Clerk of the Board of Supervisors
From: Frank Kim, County Executive Officer
Subject: Exception to Rule 21

Digitally signed by Frank Kim
DN: cn=Frank Kim, o=County of
Orange, ou=CEO,
email=frank.kim@ocgov.com,
c=US
Date: 2021.06.16 10:17:14 -0700

RECEIVED
2021 JUN 16 PM 1:03
CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS

S71G

The County Executive Office is requesting a Supplemental Agenda Staff Report for the June 22, 2021, Board Hearing.

Agency: Sheriff-Coroner
Subject: Approve Amendment Number Three to Sidepath, Inc. Contract
Districts: All Districts

Reason for supplemental: The County Executive Office is requesting this Supplemental Item be placed on the June 22, 2021, Board agenda to ensure a contract is in place by the July 1, 2021, commencement date. The current contract expires June 30, 2021. This Agenda Staff Report and attachments were finalized after the filing deadline to the Clerk of the Board.


Concur:

Andrew Do, Chairman of the Board of Supervisors

cc: Board of Supervisors
County Executive Office
County Counsel



SUPPLEMENTAL AGENDA ITEM AGENDA STAFF REPORT

MEETING DATE: 6/22/21
LEGAL ENTITY TAKING ACTION: Board of Supervisors
BOARD OF SUPERVISORS DISTRICT(S): All Districts
SUBMITTING AGENCY/DEPARTMENT: Sheriff-Coroner
DEPARTMENT HEAD REVIEW: 
Department Head Signature
DEPARTMENT CONTACT PERSON(S): Brian Wayt (714) 647-1803
 Dave Fontneau (714) 704-7919

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SUBJECT: Approve Amendment Number Three to Sidepath, Inc. Contract

CEO CONCUR


Digitally signed by Frank Kim
 DN: cn=Frank Kim, o=County of
 Orange, ou=CEO,
 email=frank.kim@ocgov.com, c=US
 Date: 2021.06.16 10:16:48 -0700

CEO Signature

COUNTY COUNSEL REVIEW

Approve Agreement as to Form

Action



County Counsel Signature

CLERK OF THE BOARD

Discussion

3/5 Board Majority

Budgeted: Yes

Current Year Cost: N/A

Annual Cost:

FY 2021-22 \$2,304,293

FY 2022-23 \$195,707

Staffing Impact: N/A

of Positions: N/A

Sole Source: No

Current Fiscal Year Revenue: N/A

Funding Source: 100% (Proposition 172)

County Audit in last 3 years No

Prior Board Action: 4/27/2021 #11, 3/10/2020 #7, 9/12/2017 #19

RECOMMENDED ACTION(S):

Authorize the County Procurement Officer or authorized Deputy to execute Amendment Number Three to renew the Sidepath, Inc. contract for purchasing EMC enterprise storage equipment utilizing the Minnesota National Association of State Procurement Officials Master Agreement with EMC Corporation Contract No. MNWNC-109, in an amount not to exceed \$2,500,000, for the term of July 1, 2021, through July 31, 2022, for a revised cumulative total contract amount not to exceed \$14,448,284.

SUMMARY:

Approval of Amendment Number Three to the contract with Sidepath, Inc. will allow the Sheriff-Coroner Department to continue to competitively acquire EMC Corporation enterprise storage equipment at an approved statewide discounted price, and to be proactive and prepared for potential network outages to maintain secure systems.

BACKGROUND INFORMATION:

The National Association of State Procurement Officials (NASPO), Inc. was formally established on January 29, 1947. NASPO maintains a cooperative purchasing program that facilitates public procurement solicitations and agreements using a lead state model. The State of Minnesota entered into a NASPO contract with EMC Corporation (EMC) for the purchase of EMC enterprise storage equipment (e.g., servers, storage, related peripherals and services), for the term of April 1, 2015 through March 31, 2020, providing discounted products and services. This EMC contract allows for a percentage discount off of the list price for each item sold. The NASPO contract was renewed through July 31, 2022. Sidepath met all the criteria within this EMC contract.

The County Procurement Office (CPO) authorized the Sheriff-Coroner Department (Sheriff) staff to pursue a subordinate contract with EMC, with Board of Supervisors (Board) approval, to purchase EMC enterprise storage equipment (e.g., servers, storage, related peripherals and services) that is required by Sheriff to continue to support, access, maintain and backup various applications and databases. On September 12, 2017, the Board approved a contract with Sidepath, Inc. (Sidepath), for the term of September 12, 2017 through March 31, 2020, in the not to exceed amount of \$7.5 million, renewable for three additional one-year terms. On March 10, 2020, the Board approved Sheriff's request for Amendment Number One to the EMC contract which renewed the Original Contract and set the not to exceed amount at \$2.5 million for the term of April 1, 2020, through June 30, 2021. Additionally, the Board approved Amendment Number Two to the EMC contract on April 27, 2021 to increase the not to exceed amount by \$1,948,284.

Sheriff now requests Board approval to authorize the County Procurement Officer or authorized Deputy to execute Amendment Number Three to the Sidepath contract for purchasing EMC enterprise storage equipment utilizing the Minnesota NASPO Master Agreement with EMC Contract No. MNWNC-109, in an amount not to exceed \$2,500,000, for the term of July 1, 2021, through July 31, 2022, for a revised cumulative total contract amount not to exceed \$14,448,284. This contract renewal will allow the continuation of the planned maintenance and support needed for the Sheriff's various applications and databases, such as Integrated Jail Management System, Field Based Reporting System, Orange County Automatic Telecommunications System, Computer Aided Dispatch System, Automated Warrants Service System, Inmate Tracking and Mobile Message Switch. The contract exceeds one year in term to mirror the expiration of the current NASPO contract. The contract is also renewable for one additional one-year term, conditioned upon the successful renewal of the NASPO contract, which would exceed the standard five-year contract term by nine months.

This contract is submitted for Board approval less than 30 days prior to the start of the contract, as the subordinate contract is dependent upon the NASPO contract approval. In the event that the NASPO contract is not renewed, Sheriff will either bid out the contract or seek another suitable cooperative agreement. Such a new contract from a bid or a cooperative agreement would need Board approval in accordance with the County's Contract Policy Manual's requirements. This contract does not currently include subcontractors or pass through to other providers. See Attachment C for the Contract Summary Form.

FINANCIAL IMPACT:

Appropriations for this contract are included in the Sheriff-Coroner Department's FY 2021-22 Budget for Budget Control 060 and will be included in the budgeting process for future years. The contract contains language allowing the Sheriff-Coroner Department to terminate the contract without penalty with cause or after 30 days of written notice without cause in the event that funding is reduced and/or not available to continue funding the contract.

STAFFING IMPACT:

N/A

ATTACHMENT(S):

Attachment A - Amendment Number Three to Contract MA-060-18010198

Attachment B - Redline of Previous Amendment

Attachment C - Contract Summary Form