



## 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 16:26:47  
-07'00'

RECEIVED  
2021 JUN 17 PM 1:05  
CLERK OF THE BOARD  
ORANGE COUNTY  
BOARD OF SUPERVISORS

S71J

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 One to NTT America, 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 in order to avoid a lapse in service as the current contract expires on June 28, 2021. This Agenda Staff Report and attachments were finalized after the filing deadline to the Clerk of the Board.


Concur:

Doug Chaffee, Vice 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

**RECEIVED**  
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ORANGE COUNTY  
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**SUBJECT:** Approve Amendment Number One to NTT America, 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 16:26:22 -07'00'

*CEO Signature*

**COUNTY COUNSEL REVIEW**

Approve Agreement as to Form

Action



*County Counsel Signature*

**CLERK OF THE BOARD**

Discussion

3 Votes Board Majority

**Budgeted:** Yes

**Current Year Cost:** \$5,804

**Annual Cost:**  
FY 2021-22 \$700,313

**Staffing Impact:** N/A

**# of Positions:** N/A

**Sole Source:** No

**Current Fiscal Year Revenue:** N/A

**Funding Source:** GF: 100%

**County Audit in last 3 years** No

**Prior Board Action:** 6/26/2018 #37

**RECOMMENDED ACTION(S):**

Authorize the County Procurement Officer or authorized Deputy to execute Amendment Number One to the NTT America, Inc. contract for Cisco SMARTnet Maintenance Bundles, for the term of June 29, 2021, through June 28, 2022 in an amount not to exceed for a total contract amount of \$706,117, renewable for one additional one-year term.

**SUMMARY:**

Approval of Amendment Number One to the contract with NTT America, Inc. will allow the Sheriff-Coroner Department to continue contracting for Cisco SMARTnet maintenance to ensure the operation of critical systems.

**BACKGROUND INFORMATION:**

The Sheriff-Coroner Department (Sheriff) requires a contract for SMARTnet direct 24 hour technical support coverage and maintenance on all Cisco Systems, Inc. computer equipment in the Sheriff's network. This maintenance is critical because the computer equipment must have continuous maintenance coverage

with no lapse in service; otherwise the warranty will be voided. It is imperative that the warranty be in effect in case of equipment failure because the replacement cost of this equipment is substantial. The critical systems that must be maintained are Sheriff's network infrastructure, computer peripheral devices and the Sheriff's intranet. NTT America, Inc. (NTT) is authorized and certified by Cisco Systems, Inc.

On June 26, 2018 the Board of Supervisors (Board) approved the contract with Dimension Data North America Inc. (Dimension) for a contract amount of \$1,525,596, for the term of July 1, 2018, through June 30, 2021. Additionally, on July 1, 2019, Sheriff was notified by Dimension that it had changed its name to NTT. This vendor has been performing satisfactorily. Contractor performance has been confirmed as at least satisfactory. Sheriff has verified that there are no concerns that must be addressed with respect to contractor's ownership/name, litigation status or conflicts with County interests.

NTT is authorized and certified by Cisco Systems, Inc. Sheriff requests Board approval of Amendment Number One to the NTT America, Inc. contract for the term of June 29, 2021, through June 28, 2022 in the amount not to exceed \$706,117 renewable for one additional one-year term. This contract is submitted for Board approval less than 30 days prior to the start of the contract as the negotiation process concluded in late May 2021, which did not allow enough time to file for previous Board meetings. This contract does not include subcontractors or pass through to other providers. See Attachment C for the Contract Summary Form.

The contract falls outside the non-standard insurance provision of the County of Orange. This non-standard insurance provision was not waived by the County Executive Office Risk Management. Sheriff has determined that the services needed and provided by NTT America, Inc. are imperative and outweigh the exceptions the vendor has taken.

#### **FINANCIAL IMPACT:**

Appropriations for this contract are included in the Sheriff-Coroner's FY 2021-22 Budget for Budget Control 060, and will be included in the budgeting process for future years. This contract contains language allowing the Sheriff-Coroner Department to terminate the contract or reduce the level of services without penalty with cause or 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 One to NTT America, Inc. Contract  
Attachment B - Redline Version of Previous Contract  
Attachment C - Contract Summary Form