



**Information &  
Communications  
Technology  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

ALLEN ISHIDA  
District One

PETE VANDER POEL  
District Two

PHILLIP A. COX  
District Three

J. STEVEN WORTHLEY  
District Four

MIKE ENNIS  
District Five

**AGENDA DATE:** December 15, 2015

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
CONTACT PERSON: Yolanda Saldana    PHONE: 636-4763				

**SUBJECT:** Approve project to upgrade County Business Objects system.

**REQUEST(S):**

That the Board of Supervisors:

1. Approve the project to upgrade the County Business Objects system to version 4.1 and keep it in compliance after end of support for the current version 4.0 on December 31, 2015 for an amount not to exceed \$390,000.
2. Approve a License and Support Agreement with SAP Public Services Inc. in an amount not to exceed \$307,000 to provide updated SAP Enterprise licenses and support for the SAP Enterprise licenses for the period of January 1, 2016 to December 31, 2016.
3. Approve Amendment No. 1 to Tulare County Agreement No. 6989 and related Statement of Work with Method360 in an amount not to exceed \$35,000 for installation services for SAP Business Objects Upgrade for the period of February 1, 2016 to August 1, 2016.
4. Approve the purchase of Cisco UCS Hardware from Datalink Corporation in an amount not to exceed \$20,000.
5. Approve the purchase of VMWare vCloud Suite and 1 year technical support from Datalink Corporation in an amount not to exceed \$11,000.
6. Approve the purchase of Microsoft SQL Server Licenses with 3 years software assurance and Microsoft Server 2012R2 licenses from Softchoice

**SUBJECT:** Approve project to upgrade County Business Objects system

**DATE:** December 15, 2015

Corporation in an amount not to exceed \$19,000.

7. Authorize the Chairman of the Board to sign Amendment No. 1 to Tulare County Agreement No. 6989 and related statement of work with Method360 Inc. and the License and Support Agreement with SAP Public Services Inc.
8. Authorize the County Purchasing Agent to procure items listed in 4, 5, and 6 above.
9. Approve the necessary budget adjustment per the attached AUD 308 (4/5<sup>th</sup> vote required).

**SUMMARY:**

The current County enterprise wide Business Intelligence system is Business Objects from SAP Public Services Inc. version 4.0. The County was notified that this version of software will no longer be supported by the vendor after December 31, 2015. The vendor has recommended we update versions to version 4.1. SAP has steeply discounted the licensing fees on a one time basis for the County to make this transition from a list price of \$678,150.00 to \$195,680.45. The purchase with SAP also includes the first year maintenance at \$149,193.00 and a credit of \$38,703.45 for existing unused maintenance credits. The ongoing annual cost changes from the current \$106,143.30 per year to \$149,193.00 per year.

The new software requires considerably more processing power and the purchase of a new server. The new hardware is a Cisco UCS Blade and requires a VMWare Server Host software license. In addition, this system will require new Microsoft Server licenses and a new Microsoft SQL Server license with 3 years software assurance. The total cost of these purchases will not exceed \$50, 000 for updated infrastructure.

The vendor Method360 is contracted to install the new SAP software and configure redundancy that includes the added infrastructure and will start work early in calendar year 2016. The total cost of the services will not exceed \$35,000.

The SAP agreement includes provisions that deviate from County protocol, such as the following:

- Section 2 of the Software License and Support Agreement, SAP Support shall renew annually for one year periods after the end of the Initial Term or subsequent renewal terms. Automatic renewal clauses deviate from County contract protocols.
- Incorporation of SAP's Software General Terms and Conditions (GTC) contains significant deviations to County contract protocols:
  - **Late Fees:** Section 4.1 of the GTC states, "Any fees not paid when due shall accrue interest at the rate of 12% per annum, but not to exceed the maximum amount as allowed by law." Section 3 of the order form states, "All payment terms are net thirty (30) days from date of invoice."

**SUBJECT:** Approve project to upgrade County Business Objects system

**DATE:** December 15, 2015

- **Governing Law:** Under section 12.5 of the GTC, the laws of the Commonwealth of Pennsylvania govern any claims arising out of the Agreement.
- Datalink Terms and Conditions contains significant deviations to County contract protocols.
  - **Payment within 30 days:** Section 3 of the Terms and Conditions requires payment within 30 days of the date of the invoice. Datalink also has the right under Section 3 to charge a late payment charge of 1.15% per month.
  - **Indemnification:** Section 8 of the Terms and Conditions require the County to indemnify Datalink for the County's breach of any of the Terms and Conditions and the improper use of the Datalink products. Indemnification language deviates from County contract protocol.
  - **Arbitration:** Section 9 of the Terms and Conditions require the parties to submit their disputes arising out of the agreement to arbitration in Minneapolis, Minnesota.
  - **Governing Law:** The Terms and Conditions are governed by Minnesota state law.

**FISCAL IMPACT/FINANCING:**

The total cost for this project was budgeted in 071-090-2900-7043 for fiscal year 2015/16. The cost for software of \$195,681 and Method360 services of \$34,320 are included in the FY 2015/16 budget and will be charged to account number 071-090-2900-8353. The cost for the hardware of \$19,377 is included in the FY 2015/16 budget and will be charged to account number 071-090-2900-8306. The attached AUD 308 will allow us to move the funds from budget line 071-090-2900-7043 to budget line 071-090-2900-8306 and 071-090-2900-8353. No additional Net County Cost.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

This project contributes to the County's Strategic Plan of Safety and Security and Organization Performance initiatives to promote countywide loss prevention and workplace safety. This purchase helps us fulfill these initiatives by providing the County with state of the art technology for video surveillance and data recovery and the infrastructure to support better service delivery.

**ADMINISTRATIVE SIGN-OFF:**

---

Peg L. Yeates  
Tulare County Information & Communications Technology Director

Cc: Auditor-Controller  
County Counsel  
County Administrative Office (2)

**SUBJECT:** Approve project to upgrade County Business Objects system

**DATE:** December 15, 2015

Attachment A – Software License and Support Agreement, SAP Public Services, Inc.

Attachment B – Statement of Work No. 01, Method 360

Attachment C – AUD 308

**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF TULARE, STATE OF CALIFORNIA**

**IN THE MATTER OF APPROVE PROJECT )  
TO UPGRADE COUNTY BUSINESS ) Resolution No. \_\_\_\_\_  
OBJECTS SYSTEM ) Agreement No. \_\_\_\_\_**

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE  
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD \_\_\_\_\_  
\_\_\_\_\_, BY THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST: MICHAEL C. SPATA  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

\* \* \* \* \*

1. Approved the project to upgrade the County Business Objects system to version 4.1 and keep it in compliance after end of support for the current version 4.0 on December 31, 2015 for an amount not to exceed \$390,000.
2. Approved a License and Support Agreement with SAP Public Services Inc. in an amount not to exceed \$307,000 to provide updated SAP Enterprise licenses and support for the SAP Enterprise licenses for the period of January 1, 2016 to December 31, 2016.
3. Approved Amendment No. 1 to Tulare County Agreement No. 6989 and related Statement of Work with Method360 in an amount not to exceed \$35,000 for installation services for SAP Business Objects Upgrade for the period of February 1, 2016 to August 1, 2016.
4. Approved the purchase of Cisco UCS Hardware from Datalink Corporation in an amount not to exceed \$20,000.
5. Approved the purchase of VMWare vCloud Suite and 1 year technical support from Datalink Corporation in an amount not to exceed \$11,000.
6. Approved the purchase of Microsoft SQL Server Licenses with 3 years software assurance and Microsoft Server 2012R2 licenses from Softchoice Corporation in an amount not to exceed \$19,000.
7. Authorized the Chairman of the Board to sign Amendment No. 1 to Tulare County Agreement No. 6989 and related statement of work with Method360 Inc. and the License and Support Agreement with SAP Public Services Inc.
8. Authorized the County Purchasing Agent to procure items listed in 4, 5, and 6 above.
9. Approved the necessary budget adjustment per the attached AUD 308 (4/5<sup>th</sup> vote required).

**AUD-308 - Budget Adjustment Form**

9:58 AM

12/01/2015						06/16			2016
Date		Document ID Number		Accounting Period		Budget Fiscal Year			

TCICT				Angela Rose	636-4804	
Agency Name				Contact Person	Phone	Extension

Action** A,C,D	Fund	Dept	Appr #	LEVEL 1 Finish Here			Current Amount	Revised Amount	Inc / Dec Amt	
C	071	090	0901CAP				81,377	330,755	249,378	
C	071	090	0901SSUP				6,606,668	6,357,290	(249,378)	
									-	
									-	
									-	
									-	
									-	
									-	
<b>Appropriations Total</b>							<i>Need Not Equal Zero</i>	<b>6,688,045</b>	<b>6,688,045</b>	<b>-</b>

Action** A,C,D	Fund	Dept	Appr #	Unit	Object	Rev	LEVEL 2 Start Here	Current Amt	Revised Amount	Inc / Dec Amt
A	071	090	0901CAP	2900	8306				19,377	19,377
A	071	090	0901CAP	2900	8353				230,001	230,001
C	071	090	0901SSUP	2900	7043			4,467,863	4,218,485	(249,378)
										-
										-
										-
										-
										-
										-
										-
										-
										-
										-
										-
										-
										-
<b>Line Total</b>							<i>Must Equal Zero</i>	<b>\$ 4,467,863</b>	<b>\$ 4,467,863</b>	<b>\$ -</b>

Reason for Adjustment (To Avoid Correspondence, State Reason in Detail)

To set up accounting lines for purchase of capital assets applicable to the Business Objects upgrade

\_\_\_\_\_ Affected Dept Head Signature \_\_\_\_\_ Other Affected Dept Head Signature

Checked By: _____ County Executive Office Action: No. _____ Date: _____ ( ) Approved ( ) Disapproved  By: _____ Board of Supervisors Action: No. _____ Date: _____	Entered By: _____ Date: _____ Distribution: 1: BOS/CAO/Auditor
---	--

\*\* Action Codes: A=Add, C=Change, D=Deactivate  
 \* Whenever a 93XX account budget is adjusted, a corresponding 94XX account budget must be adjusted in the billing agency, except for ISFs  
 \* Whenever a 95XX account budget is adjusted, a corresponding 96XX account budget must be adjusted in the billing agency, and vice versa  
 \* Whenever a 97XX account budget is adjusted, a corresponding 98XX account budget must be adjusted in the billing agency, and vice versa