



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

BOARD OF SUPERVISORS

KUYLER CROCKER
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

EDDIE VALERO
District Four

DENNIS TOWNSEND
District Five

AGENDA DATE: July 23, 2019 - REVISED

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 type="checkbox"/>	N/A	<input checked="" 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: Marilyn Lucas PHONE: 559-622-7313

SUBJECT: Approve an amendment with Micro Focus Software, Inc.

REQUEST(S):

That the Board of Supervisors:

1. Approve an Amendment to Tulare County Agreement No. 28768 with Micro Focus Software, Inc. to provide use licenses and maintenance support for MicroFocus True-Up for amount not to exceed \$563,887, for a term of August 1, 2019 through July 31, 2020.
2. Authorize the Chairman of the Board to sign three copies of the Amendment.

SUMMARY:

The Information and Communications (ICT) Department is responsible for purchasing and maintaining the hardware and software contracts for the Information and Communications Technology assets of Tulare County, including but not limited to the mainframe computer, the data center servers, network infrastructure components and Storage Area Network (SAN).

In 2013, the Board signed resolution 2013-0584 and approved an Agreement with MicroFocus for licenses and maintenance for MicroFocus, formally Novell, products. MicroFocus products used by the County include email and scheduling program GroupWise as well as other vital office applications. This agreement must be renewed in order to maintain the performance of MicroFocus within the County. Failure to renew this agreement could result in the loss of core management and communication capabilities in the County, including

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communication with constituency.

In past years, the Board has referred to Novacoast in staff reports surrounding the MicroFocus services. Micro Focus Software, Inc. is the actual developer of the software used in County services and Novacoast is merely a third-party seller of the software. In any transaction with Novacoast for MicroFocus software, the real party at interest is Micro Focus Software, Inc.

The following term deviates substantively from the standard County boilerplate.

Choice of Law – the agreement states that the laws of the state of Utah govern the agreement. The County agrees that the agreement will be governed by the laws of the State of Utah.

FISCAL IMPACT/FINANCING:

The cost of this agreement is an amount not to exceed \$563,887 and is included in the FY 19/20 budget to be paid from account number 071-090-2900-7043. There is no Net County cost.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic plan includes the Safety and Security Performance Initiative to provide for the safety.

ADMINISTRATIVE SIGN-OFF:



Kennon Keoseyan
Information & Communications Technology Assistant Director

cc: County Administrative Office

Attachment(s)

Attachment A – Amendment
Attachment B – Terms and Conditions
Attachment C – Quote

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

IN THE MATTER OF APPROVE AN
AMENDMENT WITH MICRO FOCUS
SOFTWARE, INC.

)
) Resolution No. _____
) 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: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

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