



**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 14, 2020 - 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 to Agreement No. 28768 with Micro Focus Software, Inc.

REQUEST(S):
That the Board of Supervisors:

1. Approve an amendment to Agreement No. 28768 with Micro Focus Software, Inc., to extend the term of the agreement to July 31, 2021 to provide user licenses and maintenance support for Micro Focus software including GroupWise email, Filr file sharing, iPrint mobile enterprise printing, and ZENworks desktop management, in an amount not to exceed \$332,125.11.
2. Authorize the Chair to sign the three copies of the Agreement.

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).

Since 2013, the County has utilized Micro Focus, formerly Novell, products such as the email and scheduling program GroupWise, as well as Filr file sharing, iPrint mobile enterprise printing, ZENworks desktop management, and other vital office applications. The approval of this amendment would ensure the continued performance and support of these products.

SUBJECT: Approve an amendment to Agreement No. 28768 with Micro Focus Software, Inc.

DATE: July 14, 2020

The following agreement terms deviate substantively from the standard County boilerplate:

Choice of Law – 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 \$332,125.11, and is included in the TCiCT budget for FY 20/21 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 and security of the public. The ability of the County to maintain community safety and security relies on the ability to ensure the confidentiality of County data. The renewal of licenses and maintenance allows TCiCT to protect data and prevent loss.

ADMINISTRATIVE SIGN-OFF:



Jay T. Jones

Information & Communications Technology Deputy Director

cc: County Administrative Office

Attachment(s)

Attachment A – Micro Focus Quote

Attachment B – Micro Focus Amendment

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

IN THE MATTER OF APPROVE AN)
AMENDMENT TO AGREEMENT NO. 28768) Resolution No. _____
WITH MICRO FOCUS SOFTWARE, INC.) 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

* * * * *

1. Approved an amendment to Agreement No. 28768 with Micro Focus Software, Inc., to extend the term of the agreement to July 31, 2021 to provide user licenses and maintenance support for Micro Focus software including GroupWise email, Filr file sharing, iPrint mobile enterprise printing, and ZENworks desktop management, in an amount not to exceed \$332,125.11.

2. Authorized the Chair to sign the three copies of the Agreement.



Quote Information

Date: 6/5/20
Quote ID: 060520 111202
Subject: 2020 Microfocus Groupwise and Zenworks

Novacoast Rep

Shelly Cobb
scobb@novacoast.com
805-453-8792

Client Information

Customer County of Tulare TC/CT
Address 221 South Mooney Boulevard, Room 9E
City, State ZIP Visalia, CA 93291
Contact Kennon Keoseyan
Email kkeoseyan@co.tulare.ca.us
Phone 559-636-4885

Inside Sales Support

Sarah Hales
isg@novacoast.com
800-949-9933 x4999

Micro Focus Contract - Discount 7126997 MLA - 32%

Line	QTY	Description	MNT	MSRP	Price	Extended Price
1	5000	Micro Focus Enterprise Messaging Renewal Business Support 1-Year (per mailbox)	Aug 01, 2020 - Jul 31, 2021	\$ 54.00	\$ 28.67	\$ 143,350.00
2	1600	GroupWise including Mobile Server 1-Mailbox 1-Year Renewal Business Support	Aug 01, 2020 - Jul 31, 2021	\$ 47.00	\$ 23.64	\$ 37,824.00
3	4896	ZENworks Configuration Management 1-Year Renewal Business Support	Aug 01, 2020 - Jul 31, 2021	\$ 25.00	\$ 12.21	\$ 59,780.16
4	4600	ZENworks Patch Management Cross-Platform Renewal Business Support Subscription 1-Year 1-Device	Aug 01, 2020 - Jul 31, 2021	\$ 19.00	\$ 10.08	\$ 46,368.00
5	5000	Micro Focus iPrint Desktop 1-User 1-Year Renewal Business Support	Aug 01, 2020 - Jul 31, 2021	\$ 7.10	\$ 3.56	\$ 17,800.00
6	100	Micro Focus iPrint Enterprise (Mobile & Desktop) 1-User 1-Year Renewal Business Support	Aug 01, 2020 - Jul 31, 2021	\$ 11.00	\$ 5.31	\$ 531.00
7	800	Micro Focus Filr Advanced Renewal Business Support 1-Year 1-User	Aug 01, 2020 - Jul 31, 2021	\$ 30.00	\$ 15.93	\$ 12,744.00
8	600	GroupWise Inactive 1-Mailbox 1-Year Renewal Business Support	Aug 01, 2020 - Jul 31, 2021	\$ 11.00	\$ 5.31	\$ 3,186.00
9	75	ZENworks Configuration Management 1-Year Initial Business Support	Aug 01, 2020 - Jul 31, 2021	\$ 25.00	\$ 12.21	\$ 915.75
10	165	ZENworks Patch Management Cross-Platform Initial Business Support Subscription 1-Year 1-Device	Aug 01, 2020 - Jul 31, 2021	\$ 19.00	\$ 10.08	\$ 1,663.20
11	100	ZENworks Configuration Management 1-Year Initial Business Support	Aug 01, 2020 - Jul 31, 2021	\$ 25.00	\$ 12.21	\$ 1,221.00
12	200	ZENworks Patch Management Cross-Platform Initial Business Support Subscription 1-Year 1-Device	Aug 01, 2020 - Jul 31, 2021	\$ 19.00	\$ 10.08	\$ 2,016.00
13	100	ZENworks Configuration Management License 1-User/Device	Aug 01, 2020 - Jul 31, 2021	\$ 101.00	\$ 47.26	\$ 4,726.00
Total :						\$ 332,125.11
Sales Tax :						Exempt - Electronically Delivered
Total w Tax :						\$ 332,125.11

Comments

Quote valid through August 1, 2020.

Terms

Programs and pricing can change at any time. POs accepted with approval, terms of Net30 or less required. Credit card accepted on approval only (with 3% surcharge). No refunds. No returns. Shipping for any hardware will be invoiced at actual cost.

If sales tax is not quoted, it will be added to the invoice if applicable. Please include tax exempt certificate with PO. Sales tax is simply the highest rate within your zip code as Novacoast has no way to differentiate city/county lines; if your rate differs please advise.

COUNTY OF TULARE
SERVICES AGREEMENT AMENDMENT FORM
REVISION APPROVED 06/23/2020

**AMENDMENT TO
TULARE COUNTY AGREEMENT NO. 28768 WITH MICRO FOCUS SOFTWARE, INC.
FOR THE PROVISION OF MICROFOCUS TRUE-UP**

THIS AMENDMENT ("Amendment") to Tulare County Agreement Number 28768/ Contractor MLA Number 7126997 (the "Agreement") is entered into by and between the **COUNTY OF TULARE** ("COUNTY") and **MICRO FOCUS SOFTWARE, INC.** ("CONTRACTOR" or "Micro Focus") as of July 1, 2020, with reference to the following:

A. The COUNTY and CONTRACTOR entered into the Agreement on July 31, 2018, for the purpose of providing Micro Focus True-Up services for a one-year term;

B. COUNTY and CONTRACTOR now wish to amend the Agreement in order to extend the life and term of Tulare County Agreement Number 28768;

ACCORDINGLY, COUNTY and CONTRACTOR agree as follows:

1. Tulare County Agreement No. 28768 the Agreement is hereby amended to extend the term from August 1, 2020 and now shall be in effect through July 31, 2021:

2. Furthermore, for the services provided, the COUNTY shall pay to CONTRACTOR \$332,125.11.

3. Furthermore, section 6 is rewritten as follows: "This agreement is governed by the laws of the State of California. This Agreement includes the entire agreement with respect to the services between (a) Customer and (b) Micro Focus and its Third Parties with respect to the services. It may be modified only by a written agreement signed by the entity to the bound."

4. This Amendment becomes effective as of July 1, 2020.

5. Except as provided above, all other terms and conditions of the Agreement shall remain in full force and effect.

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COUNTY OF TULARE
SERVICES AGREEMENT AMENDMENT FORM
REVISION APPROVED 01/01/2018

**AMENDMENT TO
TULARE COUNTY AGREEMENT NO. 28768**

THE PARTIES, having read and considered the above provisions, indicate their agreement by their authorized signatures below.

MICRO FOCUS SOFTWARE INC.

Date July 1, 2020

By 

Print Name: Stirling Adams

Title: Associate General Counsel

[Pursuant to Corporations Code section 313, County policy requires that contracts with a Corporation be signed by both (1) the chairman of the Board of Directors, the president or any vice-president (or another officer having general, operational responsibilities), and (2) the secretary, any assistant secretary, the chief financial officer, or any assistant treasurer (or another officer having recordkeeping or financial responsibilities), unless the contract is accompanied by a certified copy of a resolution of the corporation's Board of Directors authorizing the execution of the contract. Similarly, pursuant to California Corporations Code section 17703.01, County policy requires that contracts with a Limited Liability Company be signed by at least two managers, unless the contract is accompanied by a certified copy of the articles of organization stating that the LLC is managed by only one manager.]

COUNTY OF TULARE

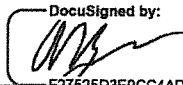
Date _____

By _____
Chair, Board of Supervisors

ATTEST: JASON T. BRITT
County Administrative Officer/Clerk of the Board
of Supervisors of the County of Tulare

By _____
Deputy Clerk

Approved as to Form:
County Counsel

By 
Deputy

Matter # 2020670