

County of Santa Clara

Office of the County Executive

Procurement Department



CE14 051909

DATE: May 19, 2009

TO: Board of Supervisors

FROM:

A handwritten signature in black ink, appearing to read "Jenti Vandertuig".

Jenti Vandertuig
Director of Procurement

SUBJECT: Delegation of Authority Relating to Agreement with MSWS Enterprises

RECOMMENDED ACTION

Approve delegation of authority to the Director of Procurement, or designee, to negotiate and execute amendments with MSWS Enterprises relating to providing consulting and training services in an amount not to exceed \$203,425.16 for period July 1, 2007 through June 30, 2009, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on June 30, 2009.

FISCAL IMPLICATIONS

There is no impact to the General Fund as a result of this action. The department will utilize funds from their approved budget for this service.

CONTRACT HISTORY

On June 1, 2007 the Procurement Department established an agreement to provide training and consulting services related to contracting in an amount not to exceed \$100,000. The scope of the project was to work with Procurement management and develop materials and train all contracting staff in the department on the nuts and bolts of public procurement. In addition, the consultant was to provide assistance with complex solicitations while providing hands on training to senior staff on adopting best practices to lower the risk and obtain the best value while contracting for the County. In June 2008, the Board of Supervisors approved the rollover of one-time unspent, unobligated funds to handle complex technology solicitations like the Public Health Incident Management System which has been handled by this consultant. Training and one-time funds were utilized to amend the agreement and increase the total not to exceed

amount by \$85,925.16 for a total contract value of \$185,925.16 through June 30, 2009. During the National Purchasing Month in March 2009, the consultant services was utilized to train staff in agencies and departments on the review of Request for Proposals and trained staff in departments who handle community based contracting. Currently, the consultant is assisting the County with the Web Casting and Related Services and Equipment project for the Clerk of the Board. An additional \$17,500 is required to complete the solicitation process for the Clerk of the Board which is anticipated to be completed by June 2009.

REASONS FOR RECOMMENDATION

In accordance to Purchasing Ordinance Code A34 -80 (a) and (b) - Contracting for Services, the Director of Procurement has the authority to purchase services where the aggregate cost does not exceed \$100,000 per budget unit, per fiscal year. Continued consulting services are required until such time the solicitation for the Clerk of the Board for Web-Casting and Related Services and Equipment are completed. Since the anticipated spend exceeds this amount, approval from the Board is requested to increase the value of the contract by \$17,500 for a total contract value of \$203,425.16 for the period of July 1, 2007 through June 30, 2009.

CONSEQUENCES OF NEGATIVE ACTION

Failure to approve the recommended action may impact the timely completion of the solicitation process.