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**Title:** CONSIDERATION OF AMENDMENT NO. 4 TO SOFTWARE LICENSE AGREEMENT WITH ZOHU CORPORATION FOR RENEWAL AND ADD-ONS TO THE CITY'S HELPDESK SOFTWARE LICENSES (CITY COUNCIL)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit No. 1 - Amendment No. 4 to Zoho Corporation Contract, 2. Exhibit No. 2 - Zoho Corporation Contract, 3. Exhibit No. 3 - Zoho Corporation Amendment No. 1, 4. Exhibit No. 4 - Zoho Corporation Amendment No. 2, 5. Exhibit No. 5 - Zoho Corporation Amendment No. 3

Date	Ver.	Action By	Action	Result
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**Report to Mayor and City Council**

Tuesday, September 19, 2023

Consent

**SUBJECT:**

**CONSIDERATION OF AMENDMENT NO. 4 TO SOFTWARE LICENSE AGREEMENT WITH ZOHU CORPORATION FOR RENEWAL AND ADD-ONS TO THE CITY'S HELPDESK SOFTWARE LICENSES (CITY COUNCIL)**

**I. SUMMARY**

The original three-year software license agreement with Zoho Corporation was signed on June 11, 2020 in the amount not-to-exceed \$16,872.00. Followed by these amendments:

- Amendment No. 1 was signed on August 4, 2020, increasing the not-to-exceed contract amount to \$21,529.00.
- Amendment No. 2 was approved via emergency purchase order (PO #22100669) for \$5,955 due to the COVID-19 pandemic, under the City Manager's authority as Director of Emergency Preparedness of the Disaster Council, to purchase additional software licenses to allow for social distancing and remote working. A second emergency purchase of \$9,675 (PO #22200609) was approved for continuing the necessary services and increasing the total not-to-exceed contract

sum to \$37,159.

- Amendment No. 3 was approved on October 27, 2022, amending the Agreement to upgrade to ManageEngine Endpoint Central UEM Edition, add security, and extend existing software, licenses, and maintenance services, and increase the contract sum not-to-exceed contract sum of \$42,803.00

Staff is requesting to continue the services and to extend the term of this Agreement through September 30, 2024, adding the Change Management add-on, and increase compensation by \$26,650. Because the contract sum has exceeded City Manager's expenditure authority, staff is now seeking City Council approval of an amendment to the contract for a total not-to-exceed contract sum of \$69,453.

## **II. RECOMMENDATION**

1. APPROVE Amendment No. 4 to the Zoho Corporation contract increasing the contract sum to a total amount of \$69,453.
  
2. AUTHORIZE the Mayor to execute Amendment No. 4 to the Zoho Corporation contract after approval as to form by the City Attorney.

## **III. ALTERNATIVES**

TAKE any other action the Council deems appropriate.

## **IV. BACKGROUND**

The original three-year software license agreement (Exhibit No. 2) with Zoho Corporation was signed on June 11, 2020 in the amount not-to-exceed \$16,872.00 and Amendment No. 1 (Exhibit No. 3) to the software license agreement was signed on August 4, 2020, increasing the not-to-exceed contract amount to \$21,529.00.

On November 25, 2020, the Information Technology Division (ITD) made an emergency purchase of \$5,955.00 of Desktop Central, increasing the number of technicians from 9 to 11 and computer subscriptions from 200 to 500 to further promote social distancing during the ongoing COVID-19 pandemic. PO #22100669 increased the not-to-exceed contract amount to \$27,484.00. This purchase was made under the City Manager's authority as Director of Emergency Preparedness of the Carson Disaster Council, pursuant to Section 3 (b) of City Council Resolution No. 20-053:

“Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, as well as any City procurement or related policy, are suspended to the extent reasonably necessary to address the effects of COVID-19.”

Desktop Central is a complete Windows Desktop Management solution that provides ITD the capabilities of Software Deployment, Patch Management, Asset Management, Remote Desktop Sharing, Service Pack Deployment, Configurations, Active Directory Reports, User Logon Reports and Windows System Tools. This software enables ITD staff to remote connect to any staff computer to assist with any issues they may be having which

alleviates the need to have staff crowd into someone's cubicle or office and enables for safe social distancing.

In order to continue these subscription services to maintain remote working and social distancing during the ongoing COVID-19 pandemic, the Assistant City Manager, acting as Director of Emergency Preparedness under Resolution No. 20-053 in the City Manager's absence, approved the costs of the renewal fees totaling \$9,675.00, increasing the total contract sum to \$37,159.00 on Amendment No. 2 (Exhibit No. 4).

Under Section 2611(d)(2) of the Carson Municipal Code, "expenditures made during a locally declared emergency or in an emergency situation must be reported to the City Council at the next regular City Council meeting if approval for such expenditures would otherwise have been subject to the approval of the City Council." Normally, expenditures over \$25,000 are subject to Council approval.

In 2022, Amendment No. 3 (Exhibit No. 5) upgraded to Endpoint Central (formerly Desktop Central) Enterprise Edition to Endpoint Central UEM Edition and the Endpoint Security Add-on. In addition to the solutions in the Enterprise Edition (listed above), the upgrade includes OS Deployment, USB Device Management, Power Management and Mobile Device Management. These additional capabilities will enable IT staff to deploy computers faster by automating the disk imaging and deployment process. The add-on includes BitLocker Management, Vulnerability Assessment, Browser Security, Device Control, Application Control and Anti-Ransomware. The add-on enables IT staff to encrypt data and protect it from theft or unauthorized access. This upgrade increased the not-to-exceed total contract sum to \$42,803.

Staff is requesting approval of Amendment No. 4 to continue the services and to extend the term of this Agreement through September 30, 2024, adding the Change Management add-on, and to increase compensation by \$26,650 (Exhibit No. 1). Because the contract sum has exceeded City Manager's expenditure authority, staff is now seeking City Council approval of an amendment to the contract for a total not-to-exceed contract sum of \$69,453.

Renewals of software licenses as is being requested by staff are exempt from bidding under Carson Municipal Code Section 2611(i)(16).

## **V. FISCAL IMPACT**

Funds have been budgeted in account number 101-54-520-101-6004 for FY 2023/24.

## **VI. EXHIBITS**

1. Proposed Amendment No. 4. (pgs. 4 - 15)
2. Zoho Corporation Contract. (pgs. 16 - 31)
3. Zoho Corporation Amendment No. 1. (pgs. 32 - 39)
4. Zoho Corporation Amendment No. 2. (pgs. 40 - 52)
5. Zoho Corporation Amendment No. 3. (pgs. 53 - 62)

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