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Title: CONSIDERATION OF AMENDMENT NO. 2 TO SOFTWARE LICENSE AGREEMENT WITH ZOHOCORPORATION FOR CITY'S HELPDESK SOFTWARE LICENSE (CITY COUNCIL)

Sponsors:

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Attachments: 1. Purchase Order #22100669, 2. Zoho Corporation - Quote Dated 20 Sep 2021 (pg. 4), 3. Zoho Corporation - Amendment #2 to Zoho Corp Contract

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

Tuesday, October 05, 2021

Consent

SUBJECT:

CONSIDERATION OF AMENDMENT NO. 2 TO SOFTWARE LICENSE AGREEMENT WITH ZOHOCORPORATION FOR CITY'S HELPDESK SOFTWARE LICENSE (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 and Amendment No. 1 to the software license agreement was signed on August 4, 2020, increasing the not-to-exceed contract amount to \$21,529.00.

Due to the COVID-19 pandemic, an emergency purchase order (PO #22100669) for the amount of \$5,955 was approved October 20, 2020 and issued on November 25, 2020, 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. These additional licenses have expired, and due to the ongoing COVID-19 pandemic, need to be renewed as soon as possible for City staff to continue social distancing and remote working at City Hall. On September 22, 2021, the Assistant City Manager, acting as Director of Emergency Preparedness in the absence of the Director, approved the necessary renewal fees in the amount of \$9,675.

Section 2611(d)(2) of the Carson Municipal Code requires expenditures made during a locally declared emergency to 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. The emergency purchases made for \$5,955 and \$9,675 are now being reported to the City Council because these expenditures, when combined with the amended contract amount, bring the total over \$25,000 which exceeds City Manager's expenditure authority and requires City Council approval.

Also, because the contract sum has exceeded City Manager's expenditure authority, staff is now seeking City Council approval of an amendment to the contract that memorializes the emergency purchases for a total contract sum of \$37,159.

II. RECOMMENDATION

1. RECEIVE and FILE the report for emergency purchases.
2. APPROVE Amendment No. 2 to the Zoho Corporation contract increasing the contract sum to a total amount of \$37,159.
3. AUTHORIZE the Mayor to execute Amendment No. 2 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 with Zoho Corporation was signed on June 11, 2020 in the amount not-to-exceed \$16,872.00 and Amendment No. 1 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. (Exhibit No. 1). 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.

The annual software maintenance and support term for these added services has expired as of September 2021. 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. A purchase order has been issued in the amount of \$9,675.00. (Exhibit No. 2).

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. Here, the emergency purchases have raised the total contract sum above \$25,000. Therefore, staff is reporting these emergency purchases to City Council.

Because the contract sum has exceeded City Manager's expenditure authority of \$25,000, staff is now seeking City Council approval of an amendment to the contract for a total contract sum of \$37,159 to memorialize these emergency purchases.

V. FISCAL IMPACT

Funds for Desktop Central were used from the EOC account number 101-60-601-100-6502 and will be used in FY 2021/22. Funds for ServiceDesk Plus has been budgeted in account number 101-50-520-101-6004 for FY 2021/22.

VI. EXHIBITS

1. Purchase Order #22100669 (pgs. 4-6)
2. Zoho Corporation - Quote Dated 20 Sep 2021 (pgs. 7-8)
3. Zoho Corporation - Amendment #2 to Zoho Corp Contract (pgs. 9-18)

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