

**REPORT TO MAYOR AND COUNCIL****TO THE HONORABLE MAYOR AND COUNCIL:**

DATE: June 24, 2014

**SUBJECT: EXTEND CURRENT AGREEMENT BETWEEN THE CITY OF CONCORD AND R-COMPUTER TO PROVIDE FOR MANAGED DESKTOP SERVICES ON A MONTH-TO-MONTH BASIS, FOR A MAXIMUM OF SIX MONTHS TO DECEMBER 31, 2014, WHILE RPF# 2285, MANAGED DESKTOP SERVICES IS EVALUATED AND A NEW VENDOR IS SELECTED**

**Report in Brief**

Staff recommends Council approve the extension of the master services agreement with the R-Computer for Desktop Managed Services to a month-to-month basis at current monthly charges of \$40,613.42 with a maximum of six months to December 31, 2014. This is necessary because staff needs more time to the review and select a new vendor for our desktop services. Staff recommends Council authorize the City Manager to execute the Agreement.

**Background**

The City of Concord has a Master Services Agreement with R-Computer to provide managed desktop services (Help Desk and Desktop Support). The current second amendment to the master services agreement expires on June 30, 2014. To maintain services to the City of Concord, a month-to-month extension is required. Concord staff has initiated RFP #2285 – Managed Desktop Services and is currently evaluating bid results to select a new vendor and negotiate a contract for Council approval. Due to the large number of bid responses, we will be unable to select a new vendor by the June 30, 2014 agreement expiration.

**Discussion**

Staff believes it is appropriate for the Council to extend this agreement because it provides uninterrupted help desk and desktop services to the City's staff, and allows sufficient time to evaluate the bid results and to select the next vendor.

**Fiscal Impact**

The extension to the agreement is \$40,613.42 monthly for help desk and desktop support are included in the FY 2014-2015 Information Technology proposed budget and 10 year financial forecast.

**EXTEND CURRENT AGREEMENT BETWEEN THE CITY OF CONCORD AND  
R-COMPUTER TO PROVIDE FOR MANAGED DESKTOP SERVICES ON A  
MONTH-TO-MONTH BASIS WHILE RPF# 2285, MANAGED DESKTOP  
SERVICES IS EVALUATED AND A NEW VENDOR IS SELECTED FOR A  
MAXIMUM OF SIX MONTHS TO DECEMBER 31, 2014.**

June 24, 2014

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**Public Contact**

Posting of the Council Agenda as required by law.

**Recommendation for Action**

Staff recommends the City Council approve a month-to-month extension to the agreement with R-Computer to continue help desk and desktop support to the City of Concord in the amount of \$40,613.42 monthly, and authorize the City Manager to execute the agreements.

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Valerie J. Barone

City Manager

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Attachment 1: Amendment Three for Agreement with R-Computer

**THIRD AMENDMENT TO MASTER SERVICES AGREEMENT**

1 This Third Amendment to Master Services Agreement is entered into on this date,  
2 \_\_\_\_\_, 2014, and amends the February 18, 2011 Master Services Agreement between the  
3 City of Concord (“CITY”) and R-COMPUTER, INC., a California corporation, 3953 Industrial Way,  
4 Suite A, Concord CA 94520 (“CONSULTANT”).

5 **WHEREAS**, the CITY and CONSULTANT entered into a Masters Services Agreement dated  
6 February 18, 2011, wherein CONSULTANT agreed to provide Desktop Managed Services, as  
7 described in its response to the CITY’s Request for Proposal #2194; and,

8 **WHEREAS**, under Section 14 “Term and Termination” of the February 18, 2011 Master  
9 Services Agreement provides that the term of the Master Agreement shall be for a period of twelve  
10 (12) months from the Effective Date of the Agreement, with an option to renew or extended for two  
11 (2) additional one (1) year periods.

12 **WHEREAS**, on May 31, 2012, the parties agreed in writing to exercise the first option to  
13 renew or extend the Master Services Agreement for an additional period up to and including June 30,  
14 2013.

15 **WHEREAS**, on July 30, 2013, the parties agreed in writing to exercise the second option to  
16 renew or extend the Master Services Agreement for an additional period up to and including June 30,  
17 2014.

18 **NOW THEREFORE**, in consideration of the promises and conditions set forth in the Master  
19 Services Agreement, the parties mutually desire to amend the Master Services Agreement as follows:

- 20
- 21 1. Section 14 of the Master Services Agreement shall be amended to include Section  
22 14.2.1, stating that upon execution of this Third Amendment to Master Services  
23 Agreement, the City and the Provider agree to extend the Agreement to a month-to-  
24 month term during the review and selection of the new Desktop Managed Services  
25 consultant agreement. The month-to month extension will renew each month until  
26  
27  
28

1 notice of termination is provided as set forth in Section 14.3.6, as amended herein, or  
2 until December 31, 2014, whichever is earlier.

3 2. Section 14 of the Master Services Agreement shall also be amended to replace the  
4 language of Section 14.3.6, with the following language: by not less than thirty (30)  
5 days' notice to Provider for convenience and without cause.

6  
7 3. Pursuant to Section 12 "PAYMENT TERMS" and Schedule 4 of the Master Services  
8 Agreement, the rates indicated in Schedule 4 are amended to a monthly amount of \$40,613.42.

9 4. Except as expressly amended herein, all other terms and conditions of the Master  
10 Services Agreement shall remain in full force and effect.

11 **IN WITNESS WHEREOF**, the parties have executed this Third Amendment on the date  
12 indicated below.

13 Dated: \_\_\_\_\_, 2014 R-COMPUTER, INC.

14  
15  
16 BY: \_\_\_\_\_

17  
18 Dated: \_\_\_\_\_, 2014 CITY OF CONCORD

19  
20 By: \_\_\_\_\_  
21 Valerie Barone  
22 City Manager

23 APPROVED AS TO FORM:

24 ATTEST:

25 \_\_\_\_\_  
26 City Attorney

25 \_\_\_\_\_  
26 City Clerk

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**FINANCE DIRECTOR'S CERTIFICATION:**

Concord, California

Date: \_\_\_\_\_, 2014

I HEREBY CERTIFY THAT ADEQUATE FUNDS EXIST OR WILL BE RECEIVED  
DURING THE CURRENT FISCAL YEAR 2013/2014 TO PAY THE ANTICIPATED  
EXPENSES TO BE INCURRED PURSUANT TO THIS CONTRACT.  
THE SUM OF \$\_\_\_\_\_. Account Code \_\_\_\_\_.

\_\_\_\_\_  
Finance Director's Signature