

November 7, 2023

Board of Supervisors  
County of Ventura  
800 South Victoria Avenue  
Ventura, CA 93009

### **SUBJECT**

**Approval of, and Authorization for the Purchasing Agent or Designee to Accept, the Commercial Terms of Sale with Dell Marketing L.P. for Various Information Technology Services up to \$20,000 Per Purchase; Authorization for the Purchasing Agent to Make Non-Material Changes Subject to County Counsel Approval; and Authorization for Waiver of County Administrative Manual Policy No. Chapter VI-1 Prohibiting the Inclusion of Provisions for Interest and Governing Law Other than California in County Contracts.**

### **RECOMMENDATIONS**

1. That your Board approve, and authorize the Purchasing Agent or designee to accept, the Commercial Terms of Sale (Terms) (Exhibit 1) with Dell Marketing L.P. (Dell) for various information technology (IT) services, up to \$20,000 per purchase, with sufficient revenue and appropriations as required.
2. That your Board authorize the Purchasing Agent or designee to make non-material changes to the Terms, subject to approval by County Counsel.
3. That your Board authorize waiver of County Administrative Manual Policy No. Chapter VI-1 prohibiting the inclusion of provisions for interest and governing law other than California in County contracts.

### **FISCAL IMPACT**

There is no fiscal impact with this item.

### **DISCUSSION**

The Terms before your Board apply to the purchase of various services from Dell. The IT services offered by Dell include PowerProtect Data Manager, which offers efficient data protection capabilities. The Health Care Agency (HCA) IT Department uses Dell services

throughout the Agency.

HCA currently uses Dell for its enterprise server, storage, and backup platform to support enterprise applications. Dell now requires the Terms to be used for enterprise solution platforms and will not negotiate modifications. The Terms require payment of interest on amounts that are unpaid more than thirty (30) days past the payment due date, and are governed by the laws of the State of Texas. For continuity of service, HCA is requesting that your Board approve waiver of County Administrative Manual Policy No. Chapter VI-1 to permit inclusion of these provisions in the Terms, for purchases up to \$20,000, with sufficient review and appropriations as required.

This letter has been reviewed by the County Executive Office, County Counsel, Auditor-Controller's Office, and General Services Agency Procurement Services. If you have any questions regarding this item, please call Bach Nguyen, HCA Chief Information Officer, at 805-652-5762.



Bach Nguyen  
Health Care Agency Chief Information Officer



Barry L. Zimmerman  
Health Care Agency Director

**Exhibit**

Exhibit 1 – Dell Marketing L.P. – Commercial Terms of Sale