

APPROVED

AI-35478

Purchasing Department

41. A. 3.

CC REGULAR

Meeting Date: 12/11/2012

Submitted For: Martha Salazar

Submitted By:

Vangie Garcia, PURCHASING DEPT.

Department: PURCHASING DEPT.

Information

CAPTION

a. Acceptance and approval to amend the Sole Source Declaration (previously approved by CC on 10/04/11-AI#28794) with Icon Enterprises d/b/a CivicPlus for the purchase of any future hardware, software maintenance, technical support/updates/upgrades/licenses and any other pertinent related services through the life term of the equipment/software/hardware/maintenance/support services in place; and

b. Approval to pay the annual support/maintenance/hosting renewal fees in the amount of \$14,175.00 as stated below including the signing of required documents by County Judge or Court Member.

November and December Billing amount: \$2,362.50 thru Requisition #225072.

January-October Billing amount: \$11,812.50 will be thru the 2013 Adopted Budget thus allowing IT Department to submit a requisition at that time for this amount.

BACKGROUND

Fiscal Impact

FISCAL YEAR: 2012

ACCT. #: 1100-415-00-200-002-0-336

FUNDS AVAILABLE Y/N?:

MATCHING FUNDS Y/N?:

BUDGETARY IMPACT:

FISCAL YEAR:

ACCT. #:

FUNDS AVAILABLE Y/N?:

MATCHING FUNDS Y/N?:

BUDGETARY IMPACT:

For the January-October billing amount of \$11,812.50 will be thru the 2013 Adopted Budget appropriated amount which has \$300,000.00.

November-December billing amount of \$2,362.50: 2-1100-415-00-200-002-0-336.

Attachments

REQUISITION

ANNUAL SUPPORT INFORMATION

PRIOR AGENDA INFORMATION

Form Review

Inbox	Reviewed By	Date
Purchasing Department	Marty Salazar	12/06/2012 04:41 PM
Budget & Management	Merlen P. Munoz	12/07/2012 09:52 AM
Purchasing Department	Marty Salazar	12/06/2012 04:41 PM
Budget & Management	Merlen P. Munoz	12/07/2012 09:52 AM

Organization	Hidalgo County			URL	http://www.co.hidalgo.tx.us/
Street Address	2812 S. Business Hwy. 281				
Address 2					
City	Edinburg	State	TX	Postal Code	78539
CivicPlus provides telephone support for all trained clients from 7am –7pm Central Time, Monday-Friday (excluding holidays). Emergency Support is provided on a 24/7/365 basis for representatives named by the Client. Client is responsible for ensuring CivicPlus has current updates.					
Emergency Contact & Mobile Phone	Karina Cardoza, 956-343-0011				
Emergency Contact & Mobile Phone	Renan Ramirez, 956-457-0792				
Emergency Contact & Mobile Phone	Michelle Villarreal, 956-640-9875				
Billing Contact	Renan Ramirez			E-Mail	Renan.ramirez@co.hidalgo.tx.us
Phone	956-292-7010	Ext.		Fax	956-318-2152
Billing Address	P.O. Box 207				
Address 2					
City	Edinburg	ST	TX	Postal Code	78540
Tax ID #	74-6000717			Sales Tax Exempt #	
Billing Terms	Semi-Annual			Account Rep	Carrie Broeckelmann
Info Required on Invoice (PO or Job #)					
Contract Contact	Karina Cardoza			Email	Karina.cardoza@co.hidalgo.tx.us
Phone	956-292-7026	Ext.		Fax	956-318-2152
Project Contact	Karina Cardoza			Email	Karina.cardoza@co.hidalgo.tx.us
Phone	956-292-7026	Ext.		Fax	956-318-2152

Terms & Conditions

Billing & Payment Terms

1. Annual Support, Maintenance & Hosting invoices may be prorated in order to correlate with the Client's budget year.
2. Fees for CivicPlus Annual Support, Maintenance & Hosting services are invoiced prior to the year of service and are due by the first of the following month, but no sooner than 30 days from invoice date.
3. If the Client's account exceeds 90 days past due, Annual Support, Maintenance & Hosting will be discontinued until the Client's account is made current. Client will be given 30 days notice prior to discontinuation of services for non-payment.
4. Provided the Client's account is current, at any time the Client may request an electronic copy of the website Customer Content and Content Management System (CMS) Software. Client agrees to pay \$250 per completed request. Provided the Client's account is current, upon termination of services client may request a complimentary electronic copy of website Customer Content and CMS Software.

Agreement Renewal

5. Either party may terminate the Annual Support, Maintenance & Hosting Agreement at the end of the contract term by providing the other party with 60 days written notice, prior to the contract renewal date.
6. In the event that neither party gives 60 days notice prior to the end of the initial or any subsequent term, this Agreement will automatically renew for an additional contract term.
7. In the event of early termination of this Agreement by the client, full payment of the remainder of the contract is due within 15 days of termination.
8. Each year this Agreement is in effect, charges for Annual Support, Maintenance & Hosting services may be increased by CivicPlus by no more than 5% per annum.

Support

9. CivicPlus will provide unlimited telephone support Monday-Friday, 7:00 am – 7:00 pm (Central Time) excluding holidays, for all trained Client staff. Emergency Support is provided on a 24/7/365 basis for emergency contacts named by the Client. Client is responsible for providing CivicPlus with contact updates.
10. Support includes providing technical support of the CivicPlus Content Management Software, application support (pages and modules), and maintenance of Client's website. Following initial setup, additional page design, graphic design, user training, site modification, and custom programming may be contracted separately for an additional fee.
11. During the period of this agreement and subsequent annual renewals, CivicPlus warrants that it will, without additional charge to the client, immediately correct any problems or defects discovered in the Software and reported to CivicPlus by the client, such warranty to include ongoing maintenance upgrades and technical error correction.
12. CivicPlus provides online website statistics software at no extra charge. If Client desires to use other website statistic software, CivicPlus will provide the necessary log file access.

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Annual Support, Maintenance and Hosting Fee

Current Annual Support, Maintenance and Hosting Fee Server Storage not to exceed 20GB Media Center Storage not to exceed 10GB	\$13,500
Annual Increase	\$675
Pay this Amount (Paid Semi-Annual in January and November)	Jan-Oct \$11,812.50
	+
	Nov-Dec \$2,362.50
	= \$14,175

Annual Support, Maintenance & Hosting Service Include the Following:

Support	Maintenance of CivicPlus Application & Modules	Hosting
7-7 (CST) Mon-Fri (excluding holidays) 24/7 Emergency Support Dedicated Support Personnel 2-hour Response during Normal Hours Usability Improvements Integration New & Upgraded Services Proactive Support for Updates & Fixes Online Training Manuals Monthly Newsletters Phone Consulting CivicPlus Connection	Install Service Patches for OS Upgrades Fixes Improvements Integration Testing Development Usage License	Shared Web/SQL Server DNS Consulting & Maintenance Monitor Bandwidth-Router Traffic Redundant ISP Redundant Cooling Natural Gas Powered Generator Daily Tape Backup Intrusion Detection & Prevention Antivirus Protection Upgrade Hardware

Acceptance

We, the undersigned, agreeing to the conditions specified in this document, understand and authorize the provision of services outlined in this Agreement.

Ramon Hance
Hidalgo County

2-20-13
Date

[Signature]
CivicPlus

2-25-13
Date

Sign and E-mail or Fax this Copy Attn: Contract Manager E-mail: SalesCoordinators@CivicPlus.com Fax: 785-587-8951	And – Mail Two (2) Signed Originals CivicPlus Contract Manager 317 Houston St., Suite E Manhattan, KS 66502
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We will e-mail or fax a counter-signed copy of the contract back to you so we can begin your project. Upon receipt of two signed originals, we will counter-sign and return one copy for your files.

Approved by Commissioners' Court
on *12/11/12*

A. Hidalgo County

1. **Presentation for acceptance and approval of Current inter-local(s) and/or contract(s) for the "Housing of Inmates"**
2. **Presentation for discussion, consideration and action**
Including, but not limited to, the following items in connection with New Adult Detention Center:
 - a) Detention Facility Law Enforcement Center Design- Build Contract with including action regarding Landmark Application for payment, final punch list and release of retainage
 - b) Construction of additional pod(s)
 - c) Selection and engagement of an architect for the construction of additional pods

NO ACTION taken on items 18.A.1 & 2.a, b & c.

3. **AI-35478** a. Acceptance and approval to amend the Sole Source Declaration (previously approved by CC on 10/04/11-AI#28794) with Icon Enterprises d/b/a CivicPlus for the purchase of any future hardware, software maintenance, technical support/updates/upgrades/licenses and any other pertinent related services through the life term of the equipment/software/hardware/maintenance/support services in place; and

On motion by COMMISSIONER, PCT. 3 JOE M. FLORES, seconded by COMMISSIONER, PCT. 1 JOEL QUINTANILLA, the Court made a UNANIMOUS vote of approval.

Vote: 3 - 0

b. Approval to pay the annual support/maintenance/hosting renewal fees in the amount of \$14,175.00 as stated below including the signing of required documents by County Judge or Court Member.

November and December Billing amount: \$2,362.50 thru Requisition #225072.

January-October Billing amount: \$11,812.50 will be thru the 2013 Adopted Budget thus allowing IT Department to submit a requisition at that time for this amount.

On motion by COMMISSIONER, PCT. 1 JOEL QUINTANILLA, seconded by COMMISSIONER, PCT. 3 JOE M. FLORES, the Court made a UNANIMOUS vote of approval.

Vote: 3 - 0

4. **AI-35640** Acceptance and approval to substitute the current Exhibit B for Contract #C-12-226-11-06 between Hidalgo County and Paul Vazaldua, Jr., dba, Vazaldua & Associates with a revised Exhibit B-(Proposal Fees for Services with Monthly Workplans) due to delay in full execution of agreement.

On motion by COMMISSIONER, PCT. 3 JOE M. FLORES, seconded by COMMISSIONER, PCT. 1 JOEL QUINTANILLA, the Court made a UNANIMOUS vote of approval.

Vote: 3 - 0

There being no further business to come before said Court, the meetings of the Commissioners' Court and the Drainage District #1 Board are now hereby adjourned.

Dated this the 11th day of December, 2012

ARTURO GUAJARDO, JR., County Clerk
Hidalgo County, Texas

By: _____
Priscilla Torres, Deputy

I, ARTURO GUAJARDO, JR., County Clerk attest that this is an accurate accounting of a proceeding of the Commissioners' Court held on December 11, 2012.

Signed this 14th day of December 2012

ATTEST:
ARTURO GUAJARDO, JR.
County Clerk and Ex-Officio Clerk
Of the Commissioners' Court of
Hidalgo County

By: _____
(Seal) Priscilla Torres, Deputy

AI-28794

21. A. 4.

CC REGULAR

Meeting Date: 10/04/2011

Submitted For: Martha Salazar

Submitted By: Vangie Garcia, PURCHASING DEPT.

Department: PURCHASING DEPT.

Information

CAPTION

- a. Requesting exemption from competitive bidding requirements under Texas Local Government Code, 262.024(a)(7)(A)"Items for which competition is precluded because of existence of patents, copyrights, secret processes or monopolies" in connection with the "Support and Maintenance Agreement" for the Hosting and Government Content Management System of Hidalgo County's Website with Icon Enterprises, d/b/a CivicPlus;
- b. Approval of a "Sole Source Declaration" for Icon Enterprises, d/b/a CivicPlus with authority to enter into an annual support and maintenance agreement in the amount not to exceed **\$13,500.00**.

BACKGROUND

County previously approved sole source and agreement on 12/07/2010 for the term ending October 31, 2011 in the amount of \$12,600.00.

A requisition for the amount of \$13,500.00 will be issued before current term expires.

Fiscal Impact

FISCAL YEAR: 2011

ACCT. #: 1-1100-415-00-200-002-0-336

FUNDS AVAILABLE Y/N?: YES

MATCHING FUNDS Y/N?:

BUDGETARY IMPACT:

\$23,037.80 available funds as of 09/30/11.

Attachments

Sole Source Documentation

Form Review

Inbox	Reviewed By	Date
Purchasing Department	Marty Salazar	09/28/2011 04:32 PM
Budget & Management	Merlen P. Munoz	09/29/2011 08:07 AM
Auditor's Office	Arcilia Duran	09/30/2011 02:16 PM
Martha Salazar	agarcia	09/30/2011 03:29 PM
Form Started By: Vangie Garcia		Started On: 09/23/2011 04:47 PM
Final Approval Date: 09/30/2011		



Hidalgo County Purchasing Department
2812 S. Business Highway 281
New Administration Building
Edinburg, Texas 78539
(956) 318-2626/ Fax: (956) 318-2629

MEMORANDUM

“SOLE SOURCE DECLARATION”

TO: Hidalgo County Commissioner’s Court

FROM: Martha L. Salazar, CPPB
Hidalgo County Purchasing Agent *mls*

DATE: October 4, 2011

RE: “Sole Source Declaration” – Support and Maintenance With Icon Enterprises dba CivicPlus

In 2007, Hidalgo County acquired the Website Development Designer Project with Icon Enterprises dba CivicPlus for the creation of Hidalgo County’s Official Website. The website was created to effectively provide anyone viewing, a robust site that is easy to navigate and find the desired content as well as providing Hidalgo County Departments with a secure and easy method of maintaining frequently updated portions of their data via user friendly administration consoles.

The frequent updates to the site have been completed in-house by Hidalgo County via an easy to use “Content Management System” which includes the maintenance and support of the “Hosting and Contents Management System” by Icon Enterprises dba CivicPlus.

Furthermore, Hidalgo County Commissioners Court back on December 7, 2010, approved the exemption request under the Texas Local Government Code, 262.024(a)(7)(A) “Items for which competition is precluded because of existence of patents, copyrights, secret processes or monopolies” in connection with the “Support and Maintenance” for the Hosting and Government Content Management System of Hidalgo County’s Website Icon Enterprises, d/b/a CivicPlus.

In addition, approved the “Sole Source Declaration” for Icon Enterprises d/b/a CivicPlus” with the authority to enter into an annual support and maintenance agreement.

The annual support is due to expire on October 31, 2011 and Hidalgo County still requires the continuation of the support and maintenance services which are proprietary components (Hosting And Contents Management System) of Icon Enterprises dba CivicPlus. Therefore, Hidalgo County requires the continued renewal of the support and maintenance with Icon Enterprises dba CivicPlus for this coming fiscal year.