



Board Agenda Item 38

DATE: October 22, 2024

TO: Board of Supervisors

SUBMITTED BY: Edward Hill, Chief Operating Officer/Interim Director of Internal Services/Chief Information Officer

SUBJECT: Agreement with Zetron, Inc.

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute an Agreement with Zetron, Inc. through a cooperative agreement with National Association of State Procurement Officials to provide public communication products, services, and solutions for Zetron-brand dispatch and communication systems, effective November 1, 2024, through October 31, 2029, for a five-year term, total not to exceed \$1,175,000.

There is no additional Net County Cost associated with the recommended action, which will allow the Internal Services Department, Information Technology Division (ISD-IT) to contract with Zetron, Inc. (Zetron) through a cooperative agreement for Zetron to provide public communication products, services, and solutions for Zetron-brand dispatch and communication systems. This item is Countywide.

ALTERNATIVE ACTION(S):

Should your Board not approve the recommended Agreement, ISD-IT would be without an efficient method of obtaining Zetron-brand dispatch and communication system products and support. Your Board could instruct staff to issue a competitive bid for these parts and services, however that will create a lapse in maintenance, support, and the availability of parts, for current Zetron-brand dispatch equipment owned and operated by the County.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The maximum compensation for the recommended Agreement is \$1,175,000 and will be funded by chargebacks to user departments. Sufficient appropriations and estimated revenues are included in the ISD-IT Org 8905 FY 2024-25 Adopted Budget and will be included in subsequent budget requests.

DISCUSSION:

Pursuant to Chapter 4 of the County's Purchasing Manual, the County is able to join other public entities for collectively preparing specifications, requesting and receiving quotations or proposals, and making an award to the lowest responsive, responsible bidder if the source selection method is otherwise in compliance with the requirements of the Purchasing Manual. On November 16, 2020, the State of Washington Department of Enterprises Services, through the National Association of State Procurement Officials (NASPO) ValuePoint, a cooperative purchasing program that facilitates public procurement solicitations, released competitive solicitation #00318 for public safety communications products, services and solutions, including dispatch

consoles and interoperability devices. The Internal Services Department, Purchasing Division reviewed NASPO's process and determined their procedures were consistent with the County's bidding process.

The recommended Agreement deviates from the County's standard language, as it incorporates limitation of liability language which limits liability to incidental, special, consequential, or indirect loss or damage up to the amount paid in the previous twelve (12) months. The recommended Agreement also incorporates intellectual property indemnification. This means the County shall indemnify, defend, and hold the harmless Zetron against all claims arising from the use, sale or manufacture of Zetron's products made according to County's specifications.

The Human Resources Department-Risk Management recommends the Agreement not include limitation of liability language or mutual indemnification; however, ISD-IT believes that these are acceptable business risks.

The recommended Agreement is based on the terms set forth in cooperative Agreement #00318 through NASPO, with a potential five-year term. The total compensation for the potential five-year term is \$1,175,000, which includes \$1,060,752 for known products and services, and an approximate 10% buffer of \$114,249 for additional products or services to be purchased, as needed, through the five-year term.

Approval of the recommended action will allow Zetron to provide public communication products, services, and solutions for Zetron-brand dispatch and communication systems.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with Zetron, Inc.

CAO ANALYST:

Ahla Yang