



## Suspension of Competition Acquisition Request

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1. Fully describe the product(s) and/or service(s) being requested.

The Library is requesting Wi-Fi and related services to be purchased for 23 branches. The service should include equipment needed, installation, Child Internet Protection(CIPA) filtering, internet service and Wi-Fi service and support.

2. Identify the selected vendor and contact person; include the address, phone number and e-mail address for each.

(Vendor # 273157) X-Act Technology, 2912 Dunkirk Dr., Oxnard, CA, 93035

Contact: Adam Skinner, President (818) 465-6760 askinner@xactts.com

3. What is the total cost of the acquisition? If an agreement, state the total cost of the initial term and the amounts for potential renewal terms.

Initial term of the Agreement is from October 1, 2018 through September 30, 2021 for a total cost of \$177,274 with 2 potential one-year renewals from October 1, 2021 to September 30, 2022 and from October 1, 2022 to September 30, 2023, each totaling \$58,290 for a five-year total of \$293,854

4. Identify the unique qualities and/or capabilities of the service(s) and/or product(s) that qualify this as a Suspension of Competition acquisition.

X-Act Technology has the CIPA filtering capabilities that a Library needs for content provided for public use. Library systems must adhere to the Children's Internet Protection Act (CIPA) enacted by Congress in 2000 to manage filter for content over the internet and maintain updates as a condition of federal funding such as LSTA grants. Vendor has made the service a one-stop shop in which they will work with the utility companies necessary in each area to contract for internet services. X-Act also credits each branch account for internet services in communities where the utilities company give the Library free internet service which continues to qualify Library Department for potential federal funding. X-Act does not require the Library to provide Servers and Networking Hardware that are 5 or less years old nor Workstations that are 3 or less years old. As the current provider, X-Act already has equipment in place that will not require replacement.

5. Identify from Administrative Policy #34 what circumstances constitute a Suspension of Competition.

- ☐ In an emergency when goods or services are immediately necessary for the preservation of the public health, welfare, or safety, or for the protection of County property.
- ☐ When the contract is with a federal, state, or local governmental agency.
- ☐ When the department head, with the concurrence of the Purchasing Agent, finds that the cost of preparing and administering a competitive bidding process in a particular case will equal or exceed the estimated contract amount or \$2,500 whichever is more.
- ☐ When a contract provides only for payment of per diem and travel expenses and there is to be no payment for services rendered.
- ☐ When obtaining the services of expert witnesses for litigation or special counsel to assist the County.
- ☒ When in unusual or extraordinary circumstances, the Board of Supervisors or the Purchasing Agent/Purchasing Manager determines that the best interests of the County would be served by not securing competitive bids or issuing a request for proposal.

6. Explain why the unique qualities and/or capabilities described above are essential to your department.

X-Act does not require the Library to provide Servers and Networking Hardware that are 5 or less years old nor Workstations that are 3 or less years old, most branches would not meet this requirement. As the current provider, X-Act already has equipment in place that will not require replacement and the Library will not incur initial equipment and installation expenses. The Library could not find a local Vendor that will cost effectively meet the Wi-Fi needs and internet protection measures required of the Library.

7. Provide a comprehensive explanation of the research done to verify that the recommended vendor is the only vendor with the unique qualities and/or capabilities stated above. Include a list of all other vendors contacted, what they were asked, and their responses.

In total 7 other Vendors were contacted in regards to providing Wi-Fi needs for 23 various Library branches in Fresno County.

1. Integrity Networks Inc was contacted via email, I inquired on Wi-Fi services but they did not respond.
2. IT Solutions of Fresno was contacted via email, I inquired on Wi-Fi services but they did not respond.
3. CTS Computer Technology Solutions Inc was contacted via email, I inquired on Wi-Fi services but they did not respond.
4. PC Solutions was contacted via email, I inquired on Wi-Fi services but they did not respond.
5. Valley Network Solutions was contacted via email, I inquired on Wi-Fi services but they did not respond.
6. EMD Networking Services was contacted via email, I inquired on Wi-Fi services, they stated that they did not wish to be considered for providing potential Wi-Fi services to the Library and did not give a quote.
7. BCT Consulting, Inc was contacted via email, I inquired on Wi-Fi services and BCT responded with interest but

requires Workstations must be no older than three (3) years, and Servers and Networking Hardware must not be older than five (5) years.

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Requested By:

Staff Analyst

Title

[\[✕ Sign\]](#) Double click!

**I approve this request to suspend competition for the service(s) and/or product(s) identified herein.**

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Department Head Signature

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Purchasing Manager Signature

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