



## Legislation Text

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File #: 24-543, Version: 2

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*Report Prepared by: Jeff Bennyhoff, Director of Information Technology*

**SUBJECT:** Approval to Waive the Competitive Bid Process to Allow for the Cooperative Purchase with Competitively Bid Contract; County of Merced 2021 AMS FOCUS Agreement 2021092 051821 with AMS.net in a not to Exceed Amount of \$175,000 in Fiscal Year 2024/2025

### REPORT IN BRIEF

Considers approving to waive the competitive bid process to allow for the cooperative purchase with competitively bid contract; 2021 AMS FOCUS Agreement 2021092 051821 with AMS.net in a not to exceed amount of \$175,000 in Fiscal Year 2024/2025.

### RECOMMENDATION

**City Council** - Adopt a motion:

- A. Authorizing the waiver of the competitive bidding requirements as stated in Section 3.04.210 of the Merced Municipal Code due to piggybacking; and,
- B. Authorizing the use of 2021 AMS FOCUS Agreement 2021092 051821; and,
- C. Authorizing the City Manager to execute the necessary documents; and,
- D. Authorizing the Finance Officer to make necessary budget adjustments; and,
- E. Authorizing the purchase of goods through AMS.net in the amount not to exceed \$175,000 for Fiscal Year 2024-25.

### ALTERNATIVES

- 1. Approve, as recommended by staff; or,
- 2. Approve, subject to conditions as specified by the City Council; or,
- 3. Deny the request; or,
- 4. Refer back to staff for reconsideration of specific items as requested by the Council;

### AUTHORITY

Charter of the City of Merced, Section 200.

### CITY COUNCIL PRIORITIES

As provided for in the FY2024-25 Adopted Budget.

### DISCUSSION

The City purchases a variety of technology goods and professional services through AMS.net each fiscal year. To ensure the City receives the best possible rate for these goods the City can utilize competitively the bid contract from the County of Merced. This contract covers a variety of technology items offered through AMS.net. The City can leverage this contract to ensure the best pricing per item.

The County of Merced Focus contract was publicly bid in 2021 lasting through 2024. An amendment was approved by the Board of Supervisors on May 7th extending the term of the agreement until May 2026. By utilizing this contract the City has no obligation to purchase goods through AMS.net. City staff will continue to get quotes for goods and professional services from multiple vendors. If AMS.net is the lowest priced vendor, we will procure through them. If another vendor provides a quote at a lower price point, we will procure with that vendor. This contract only ensures we get the lowest possible rate when applicable through AMS.net. The City has purchased a variety of goods including networking infrastructure equipment such as wireless access points, firewalls, and switches, emergency notification hardware and software, hardware maintenance, and required annual licensing.

### **IMPACT ON CITY RESOURCES**

In the last two fiscal years the City has an average annual spending of \$154,000 with AMS.net. This amount does account for spending across all City departments. We are asking for expenditure authority up to \$175,000 in fiscal year 2024/2025 to AMS.net. For any expenditure above this threshold, we will come back to Council for additional expenditure authority. This authorization does not encumber or expend any funds, it only grants the authority to expend funds if the City needs to purchase goods. If the City expends below this threshold amount, no funds will be lost.

### **ATTACHMENTS**

1. 2021 AMS FOCUS Agreement 2021092 051821
2. 2021 AMS FOCUS Amendment #1