



## Agenda Report Form

### Open Session Item

**SUBJECT:** Quotation Award (Q-23-765) APC Advantage Licensing Renewal

**PRESENTATION DATE:** December 5, 2023

**PRESENTATION BY:** Rick F. Curry, CPPO, Director of Purchasing; Josh O'Neal, Chief Technical Officer of IT

**RECOMMENDED MOTION:** Move to award the Quotation for the APC Advantage PC Licensing to the responsible, responsive bidder, GHA Technologies of Scottsdale, AZ who submitted the responsive Total Lump Sum of \$67,736.82 over a three (3) year period based on its proposal.

	Year 1	Year 2	Year 3
Licensing Renewal Cost	\$22,578.94	\$22,578.94	\$22,578.94

**REPORT-IN-BRIEF:** This is the annual maintenance contract for the cooling and humidity control in the main County data center.

**DISCUSSION:** The Code of the Public Local Laws states that a contract over \$50,000 for the purchase or other expenditure shall be awarded by the Board to the lowest responsible bidder who submits a responsive bid. Request for Quotations are processed for purchases of commodities and services not exceeding \$50,000 and are normally awarded at the departmental level in concurrence with the Purchasing Department. Due to the APC Advantage licensing renewal cost quote exceeding \$50,000, the Quotation is before the Board for an award. It was anticipated that these services would not exceed \$50,000.

It was anticipated these services would be quoted below the \$50,000 threshold which would not have required using the Invitation to Bid (ITB) advertisement process. As such, the Request for Quotation process was followed and not the formal bid process. As noted previously, a significant number of vendors reviewed the document; as such we do not believe publicly advertising the project in the newspaper or through the State's web site would have yielded any difference in the final outcome. Given the value of the quotations, the Board of County Commissioners' approval is necessary to award these services.

**FISCAL IMPACT:** Funds in the amount of \$84,501 are available in the department's account 30-11000-COM011. The department will need to budget the annual ancillary maintenance support cost for fiscal years 2024 and 2025.

**CONCURRENCES:** N/A

**ALTERNATIVES:** N/A

**ATTACHMENTS:** GHA Technologies quote

**AUDIO/VISUAL NEEDS:** N/A

**Q-23-765**  
**APC Advantage Service Renewal**

				GovConnection, Inc. dba Connection-Public Sector Solutions Merrimack, NH		GHA Technologies Scottsdale, AZ		Princeton IT Services, Inc. Princeton, NJ		Zones, LLC Auburn, WA	
Item No.	Item Description	Unit of Measure	Qty.	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	3-Year Renewal Advantage Ultra Service Plan for (1) In Row ACRD Half Rack 10kw; 6 Units Valid from 11/26/2023 to 11/25/2026 Part #WADVULTRA-AX-15	Ea.	1	\$8,695.51	\$52,173.06	\$67,736.82	\$67,736.82	\$62,995.14	\$62,995.14	\$64,929.18	\$64,929.18
<b>TOTAL LUMP SUM (Item No. 1 above)</b>				\$52,173.06		\$67,736.82		\$62,995.14		\$64,929.18	

*\*Corrected calculations based on unit pricing*

**Remarks/Exceptions:**

**GovConnection, Inc. dba Connection Public Sector Solutions** - See Remarks/Exceptions next page

**GHA Technologies** - Billed annually @ \$22,578.90; 3 annual payments. 11/26/23, 11/26/24, 11/26/25.

Anniversary date of 11/26

Coverage 11/26/23 - 11/25/26

**Zones, LLC.** - See Remarks/Exceptions next page

\*\*\*Please note: Pricing is valid for 30 days.

**Remarks / Exceptions:**

**GovConnection, Inc. dba Connection Public Sector Solutions**

## Important Information

**Delivery:** Delivery within 5-30 calendar days, after receipt of purchase order.

**Terms and Conditions:** Important Notice: --- THIS QUOTATION IS SUBJECT TO THE FOLLOWING Terms of Sale: All purchases from GovConnection, Inc. are subject to the Company's Standard Terms of Sale, which describe important legal rights and obligations. You may review the Company's Standard Terms of Sale on the Company's website: [www.govconnection.com](http://www.govconnection.com), via the following link: <https://www.govconnection.com/IPA/Content/About/Legal/PCCGOV/TermsConditionsSale> or you may request a copy via fax, e-mail, or mail by calling your account representative. The only exception to this policy is if your order is being placed under any one of our many national, state, educational or cooperative Agreements, in which case the Terms and Conditions of your Purchase Order are already pre-negotiated and stated in that Agreement. No other Terms and Conditions shall apply, and any other terms and conditions referenced or appearing in your Purchase Order are considered null and void. Please refer to our Quote Number in your order.

**Warranty / Returns:** All products purchased via Connection, come with the specific warranty offered by the manufacturers. As Connection is the reseller and not the manufacturer of the products offered within this RFQ, the manufacturer warranty on all products purchased through Connection, will be passed through to the purchaser.

Your Account Manager should be notified within 30 days of purchase to return defective product, for repair or replacement, for up to 30 days from the date of receipt. (Reference our return policy, via the link below, for complete details and restrictions.) After this period, the individual manufacturer's warranty/return policy will come into effect.

<https://www.govconnection.com/IPA/Content/Support>Returns/PCCGOV/Default>

**Force Majeure Notice:** Notwithstanding anything else to the contrary contained in this proposal or ITB, Connection shall in no event be liable for delivery delays that are caused by circumstances beyond Connection's reasonable control, including without limitation, carrier delays, product unavailability, fire, acts of God or government agency, severe weather, acts of war, labor shortages, power failures or health pandemics. Furthermore, Connection shall not be liable for any global shipping delays caused by the Coronavirus outbreak. Order status can be obtained from:

<https://www.connection.com/IPA/Reporting/OrderTrackingRequest>

**Connection's Remit-To address is:**

GovConnection, Inc.  
P.O. Box 536477  
Pittsburgh, PA 15253-5906

**Remarks / Exceptions:**  
**GovConnection, Inc. dba Connection Public Sector Solutions**



**EXCEPTIONS – GOVERNING TERMS AND CONDITIONS**

It is the intent of Zones, LLC ("Seller") that: (a) except for any terms or conditions required by local, state, or federal laws or applicable government regulations, any terms and/or conditions referenced in the documentation or posting (the "RFx") to which Seller hereby responds with the proposal in which this document, "Exceptions – Governing Terms and Conditions", is included (the "Proposal") are disclaimed and shall not apply without further negotiation; (b) Seller's Terms and Conditions of Sale accessed at [www.zones.com/TermsOfSale](http://www.zones.com/TermsOfSale) ("Terms of Sale") are hereby incorporated by this reference and shall govern any Product and/or Product Support sale arising hereunder until such time as the parties execute a separate agreement to govern; (c) any Services to be sold and performed hereunder shall be governed by both the Terms of Sale and a Statement of Work separately negotiated and executed by the Parties; and (d) notwithstanding anything to the contrary in the RFx, the Proposal or the Terms of Sale, Seller reserves the right to raise any quoted Product price(s) to account for any acquisition cost increase(s) brought about in response to any international trade dispute or governmental action.

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