



# EXECUTIVE DECISION DOCUMENT

<b>GENERAL MANAGER APPROVAL:</b>		DocuSigned by: <i>Michael Jones</i> 47000790F2D7463...		<b>GENERAL MANAGER ACTION REQ'D:</b> n/a	
<b>DATE:</b> 6/11/2026		6/17/2026		<b>BOARD INITIATED ITEM:</b> Yes	
<b>Originator/Prepared by:</b> Johanna Montilla - Contractor <b>Dept:</b> OCIO		<b>General Counsel</b>		<b>Chief Financial Officer</b>	
DocuSigned by: <i>Johanna Montilla</i> 22158D481AAFA0B...		DocuSigned by: <i>Amelia Sandoval-Smith</i> 2528C067C44147D...		Signed by: <i>Joseph Beach</i> 7D9A7C6E7348456...	
<b>Signature/Date:</b> 6/16/2026		6/16/2026		6/17/2026	
		[ ]		[ ]	
				<b>District Secretary</b>	
				DocuSigned by: <i>Robert Franklin</i> AFF4529E1F0D45C...	
				6/17/2026	
				[ ]	
				<b>BARC</b>	
				DocuSigned by: <i>Pamela Herlihy</i> 3BB24D65B8724F5...	
				6/17/2026	
				[ ]	

## Agreement through Dell Technologies for Microsoft Azure VMware Solution (AVS) Disaster Recovery Service Subscription

### PURPOSE:

To obtain Board authorization for the General Manager, or his designee, to purchase a Microsoft Azure VMware Solution (AVS) Disaster Recovery Service Subscription, through reseller Dell Marketing, L.P. ("Dell"), for a three-year term, in an amount not-to-exceed \$1,338,999.

### DISCUSSION:

This subscription supports the Azure VMware Solution (AVS) Disaster Recovery project, which will expand BART's existing Microsoft enterprise licensing environment to establish a reliable, secure, and recoverable disaster recovery capability for critical technology systems and supporting network infrastructure.

The Disaster Recovery (DR) Project is an expansion of BART's current Microsoft enterprise environment and is necessary to strengthen business continuity capabilities, minimize operational downtime, and enable timely recovery of critical applications, data, and network connectivity in the event of a system outage, cyber incident, or other disaster scenario. This solution includes Dell AVS infrastructure, Jetstream DR and AVS services, Oracle Azure services, and Azure networking services required to support a fully integrated disaster recovery environment.

The Office of the Chief Information Officer ("OCIO") evaluated multiple procurement

alternatives to identify the most cost-effective agreement for disaster recovery solution and determined that utilizing BART's existing Microsoft enterprise enrollment to purchase Azure VMware Solution (AVS) Disaster Recovery services through Dell Technologies, provides the greatest overall value and cost savings to the District.

The District previously entered into an enterprise enrollment agreement using the County of Riverside's, competitively bid, Microsoft Master Agreement, a licensing solution that is available for other governmental entities in California. The Riverside agreement enables other governmental entities to obtain Microsoft services at discounted rates, providing the ability to lock in pricing for a specified duration, amortize costs over multiple years, and adjust commitments on hosted services as needed, while allowing them to order lower volumes. The Azure subscription will be added as an additional service under the District's enterprise agreement.

The budget includes a projected FY27 - FY29 forecast contingency to ensure that additions to the District workforce may be licensed for Microsoft Office software.

Pursuant to the District's Non-Federal Small Business Program, the District conducted an analysis and determined that there are no certified Small Businesses certified by the California Department of General Services available for proposing this Agreement. Therefore, no Small Business Prime Preference was set for this Agreement.

The Office of the General Counsel will approve the agreement as to form prior to execution.

**FISCAL IMPACT:**

The proposed agreement of \$1,338,999 per year reflects the resources required to establish and maintain the disaster recovery environment under normal operating conditions. Because actual resource consumption may increase significantly during a declared disaster recovery event or failover scenario, staff recommends approval of a not-to-exceed amount that includes a 20% contingency buffer of \$223,166.38, for a total authorization of \$1,338,999, to ensure sufficient operational flexibility during emergency conditions. Funding is included in OCIO's FY27 Adopted Budget (Dept 0504463, Account 681355). Funding will be requested for subsequent budgets.

Proposed funding is as follows:

FY27	\$371,943.97
FY28	\$371,943.97
FY29	\$371,943.97
FY27-FY29	\$223,166.38
(Contingency Buffer)	
<b>Total</b>	<b>\$1,338,998.29</b>

\*Funding is expected to begin on 7/01/2026

This action is not anticipated to have any Fiscal Impact on unprogrammed District reserves in the current Fiscal Year.

**ALTERNATIVES:**

The District could decline an agreement with Dell and seek alternate solutions and independent proposals. BART Staff would experience delay and interruption to licensed Microsoft applications, used for essential daily operations, and the District will not have reliable, secure, and recoverable disaster recovery capability for critical technology systems and supporting network infrastructure.

**RECOMMENDATION:**

It is recommended that the Board adopt the following motion.

**MOTION:**

The General Manager, or his designee, is authorized to purchase a Microsoft Azure VMware Solution (AVS) Disaster Recovery Services Subscription, through Dell Marketing, L.P. for a three-year term, in an amount not-to-exceed \$1,338,999.