
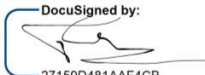







## EXECUTIVE DECISION DOCUMENT

<b>GENERAL MANAGER APPROVAL:</b>  DocuSigned by: Michael Jones 47000790F2D7463...		<b>GENERAL MANAGER ACTION REQ'D:</b> N/A		
<b>DATE:</b> 7/29/2024      11/14/2024		<b>BOARD INITIATED ITEM:</b> No		
<b>Originator/Prepared by:</b> Johanna Montilla <b>Dept:</b> OCIO  DocuSigned by: 27159D481AAF4CB... <b>Signature/Date:</b> 11/12/2024	<b>General Counsel</b>  DocuSigned by: Amelia Sandoval 2528C067C44147D... 11/13/2024 [ ]	<b>Controller/Treasurer</b>  DocuSigned by: Shelly Gan EE11C8CEEEA04FD... 11/12/2024 [ ]	<b>District Secretary</b> [ ]	<b>BARC</b>  DocuSigned by: Pamela Herhold 3BB24D65B8724F5... 11/13/2024 [ ]

### **Procurement with Transource Services Corporation, a National Association of State Procurement Officials (NASPO) Provider, for Hardware, Software as a Service, and Related Services**

#### **PURPOSE:**

To request that the Board authorize the General Manager to enter into a contract to purchase Nutanix Hardware, Software as a Service (SaaS), and related services from Transource Services Corporation ("Transource"), a reseller, for a 3-year duration, for an amount not to exceed \$429,508.75.

#### **DISCUSSION:**

To accommodate the increasing resource demands of several District applications, expanding the Nutanix infrastructure is a proactive approach to avoid risks and costs associated with performance bottlenecks and/or emergency support. It is crucial to maintain user satisfaction by keeping applications operational at all times. As applications evolve, they require more sophisticated infrastructure. Expanding our Nutanix infrastructure will support the District's growing application demands, improve performance, enhance resilience, and the capability of meeting current needs.

This contract is for the purchase of Nutanix Hardware, SaaS, and related services.

This purchase aims to expand our current Nutanix infrastructure to accommodate new applications that will be critical to the District. The District is currently using Nutanix hardware, which has proven to be reliable and efficient. By continuing with Nutanix, we can avoid potential issues related to hardware compatibility and maintain operational consistency using the same hardware platform.

The procurement will be made through the National Association of State Procurement Officials (NASPO) cooperative purchasing program approved for purchase of software services by the Board in 2016. NASPO ValuePoint (formerly WSCA NASPO) is a cooperative purchasing program, aggregating the demand of all 50 states, the District of Columbia and the organized US territories, their political subdivisions and other eligible entities.

Because the State of California participates in the NASPO program, its local agencies and districts, including BART, are authorized by California Public Contract Code section 10298 to purchase items from the suppliers' awarded contracts by NASPO without further competitive bidding if there is California state participation in the specified negotiated NASPO contract. This procurement will be pursuant to the Value Point Master Agreement Number 23022 and the State of California Participating Addendum Number 7-23- 70-55- 08, expiring June 30, 2025. The procurement will be from Transource, an authorized reseller of Nutanix Hardware, SaaS, and related services.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights reviewed the scope of work and determined that there are no certified Small Businesses (SB) certified by the California Department of General Services, capable of providing the goods and services in this scope of work. Therefore, the Small Business Program does not apply to this NASPO ValuePoint agreement.

Pursuant to the District's Non-Discrimination Program for Subcontracting, the Availability Percentages for this Agreement are 5.5% for Minority Business Enterprises (MBEs) and 2.8% for Women Business Enterprises (WBEs). Transource will not be subcontracting any portion of the work and therefore, the provisions of the District's Non-Discrimination Program for Subcontracting do not apply.

The Office of the General Counsel will approve the agreement as to form before it is executed.

## **FISCAL IMPACT:**

Funding in the amount of \$429,509 for award of Contract No. 6M4885 is included in the total project budget for the Network Infrastructure Refresh, Project Number 63EA010.

The table below list funding assigned to the referenced project and is included to track funding history against spending authority.

Project 63EA010:

<b>Fund</b>	<b>Fund Description</b>	<b>Source</b>	<b>Amount</b>
8523/8528/8534/ 8536/8538	Operating Capital Allocation	INTERNAL	8,935,378
<b>Total</b>			<b>\$8,935,378</b>

As of October 3, 2024, \$8,935,378 is the total budget for this project. BART has expended \$6,494,062 committed \$723,979 and reserved \$0 to date. This action will commit \$429,509 leaving an available fund balance of \$1,287,828 in this fund source for this project.

The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation.

This action is not anticipated to have any Fiscal Impact on unprogrammed District reserves.

## **ALTERNATIVES:**

The District could choose not to implement the renewal and improvements, leaving the District at risk of loss due to application failure resulting from the age of the current

equipment and software.

**RECOMMENDATION:**

It is recommended that the Board adopt the following motion:

**MOTION:**

The General Manager or his designee is authorized to enter into a contract to purchase Nutanix Hardware, SaaS and related services from Transource, for a 3-year duration, for an amount not to exceed \$429,508.75.