



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>15 Oct 2020</i> <i>Robert M. Pomeroy</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 9/28/2020		BOARD INITIATED ITEM: Yes		
Originator/Prepared by: Travis Engstrom Dept: CIO Administration <i>TE</i> Signature/Date: <i>10/15/2020</i>	General Counsel <i>[Signature]</i> <i>10/15/20</i> []	Controller/Treasurer <i>[Signature]</i> <i>10/15/2020</i> []	District Secretary []	BARC <i>[Signature]</i> <i>10/28/20</i> []

Cloud Software Hosting Agreement

Purpose

To request that the Board authorize the General Manager to execute an information technology hardware and software contract with DLT Solutions for an amount not to exceed \$1,000,000.00.

Discussion

This is the purchase of a Cloud Software Hosting Agreement using Amazon Web Services (AWS), for computer server resources.

This purchase is being made through the National Association of State Procurement Officials, (NASPO) cooperative purchasing program approved by the Board in 2016.

DLT Solutions' NASPO ValuePoint number is AR2480.

NASPO ValuePoint (formerly WSCA-NASPO) is a unified, nationally focused cooperative 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 is a partner in this cooperative agreement, 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 the NASPO ValuePoint Cooperative without further competitive bidding, pursuant to a Master Agreement and a California Participating Addendum.

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 bidding this Contract. Therefore, no Small Business Prime Preference was set for this Contract.

Pursuant to the District's Non-Discrimination Program for Subcontracting, the Availability Percentages for this Contract are 8.4% for Minority Business Enterprises (MBEs) and 5.7% for Women Business Enterprises (WBEs). DLT Solutions 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 General Counsel will approve the Agreement as to form prior to execution.

Fiscal Impact

The proposed agreement is for an amount not to exceed \$1,000,000.00.

The purchase price funds will be from the BART Office of the Chief Information Officer (OCIO) Operating budget (Dept 0504460, Account 681355) as follows:

Proposed Funding	
FY21	\$200,000.00
FY22	\$200,000.00
FY23	\$200,000.00
FY24	\$200,000.00
FY25	\$200,000.00
Total	\$1,000,000.00
<i>*Funding is expected to begin 10/1/2020.</i>	

Funding for support in this Fiscal Year is included in the existing Department Operating budget outlined above. Funding for future years will be requested in future Operating Budgets.

This action is not anticipated to have any Fiscal Impact on un-programmed District Reserves in the current Fiscal Year.

Alternative

1) Decline to authorize the Agreement through the NASPO program and seek alternative independent proposals by the District. The District would incur substantial delays if it were to procure such services on its own.

Recommendations

Approve the following motion:

Motion

The General Manager or his designee is authorized to execute an information technology hardware and software contract with DLT Solutions for an amount not to exceed \$1,000,000.00.