

1 [Contract Amendment - En Pointe Technology Sales, Inc. - \$54,150,000]

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3 **Resolution authorizing the Office of Contract Administration to enter into the**
4 **Fifth Amendment between the City and En Pointe Technology Sales, Inc. (part of**
5 **the Technology Store procurement vehicle), in which the amendment shall**
6 **increase the contract limit from \$38,490,000 to \$54,150,000, exercise the second**
7 **of two options to extend the contract by one year through December 31, 2013,**
8 **and update standard contractual clauses.**

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10 WHEREAS, the Office of Contract Administration, by competitive bidding,
11 developed the Technology Store procurement method for the purchase of products and
12 services related to Information Technology; and

13 WHEREAS, En Pointe Technology Sales, Inc. is one of the three products
14 vendors who are part of the Technology Store; and

15 WHEREAS, the original contract with En Pointe Technology Sales, Inc. dated
16 January 1, 2009 has a term of three years through December 31, 2011 with options to
17 extend the term through December 31, 2013, and has an original contract limit of
18 \$24,000,000; and

19 WHEREAS, the Board of Supervisors approved the original contract on
20 December 9, 2008 by Resolution #508-08; and

21 WHEREAS, the Board of Supervisors approved the First Amendment to the
22 contract
23 on June 7, 2011 by Resolution #233-11 to increase the contract limit from \$24,000,000
24 to
25 \$28,000,000; and

1 WHEREAS, the Director of the Office of Contract Administration and the
2 Purchaser approved the Second Amendment to the contract on November 21, 2011 to
3 increase the contract limit from \$28,000,000 to \$28,475,000, to exercise the first of two
4 options to extend the contract by one year to December 31, 2012, and to update
5 standard contractual clauses; and

6 WHEREAS, the Board of Supervisors approved the Third Amendment to the
7 contract
8 on January 10, 2012 by Resolution #5-12 to increase the contract limit from
9 \$28,475,000 to
10 \$38,000,000; and

11 WHEREAS, the Director of the Office of Contract Administration and the
12 Purchaser approved the Fourth Amendment to the contract on June 28, 2012 to
13 increase the contract limit from \$38,000,000 to \$38,490,000; and

14 WHEREAS, the Office of Contract Administration estimates that the money
15 projected to be spent with En Pointe Technologies Sales Inc. could reach the contract's
16 amended limit in the reasonably near future; and

17 WHEREAS, Charter section 9.118, (b) "Contract and Lease Limitations,"
18 requires the Board of Supervisors to approve any contract estimated to exceed \$10
19 million in expenditures or amendments exceeding \$500,000 to such contracts; now,
20 therefore, be it

21 RESOLVED, that the Board of Supervisors authorizes the Director of the Office
22 of Contract Administration and the Purchaser to enter into the Fifth Amendment to the
23 contract with En Pointe Technologies Sales, Inc. in substantially the form attached to
24 increase the contract limit from \$38,490,000 to \$54,150,000, to exercise the second of
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1 two options to extend the contract by one year through December 31, 2013, and to
2 update standard contractual clauses.

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