1　[Contract Amendment - Xtech - $79,830,000]

2

3　**Resolution authorizing the Office of Contract Administration to enter into the**

4　**Seventh Amendment between the City and Xtech (part of the Technology Store**

5　**procurement vehicle), in which the amendment shall increase the contract limit**

6　**from $68,380,000 to $79,830,000 for the term ending December 31, 2013.**

7

8　WHEREAS, the Office of Contract Administration, by competitive bidding,

9　developed the Technology Store procurement method for the purchase of products and

10　services related to Information Technology; and

11　WHEREAS, Xtech is one of the three products vendors who are part of the

12　Technology Store; and

13　WHEREAS, The original contract with Xtech dated January 1, 2009 has a term

14　of three years through December 31, 2011 with options to extend the term through

15　December 31, 2013, and has an original contract limit of $24,000,000; and

16　WHEREAS, the Board of Supervisors approved the original contract on

17　December 9, 2008 by Resolution #508-08; and

18　WHEREAS, The Board of Supervisors approved the First Amendment to the

19　contract on September 28, 2010 by Resolution #458-10 to increase the contract limit

20　from $24,000,000 to $41,000,000; and

21　WHEREAS, The Director of the Office of Contract Administration and the

22　Purchaser approved the Second Amendment to the contract with Xtech on November

23　21, 2011 to exercise the first of two options to extend the contract by one year through

24　December 31, 2012, and to update standard contractual clauses; and

25

1   WHEREAS, The Board of Supervisors approved the Third Amendment to the

2 contract on January 10, 2012 by Resolution # 3-12 to increase the contract limit from

3 $41,000,000 to $51,000,000; and

4   WHEREAS, The Director of the Office of Contract Administration and the

5 Purchaser approved the Fourth Amendment to the contract with Xtech on June 28,

6 2012 to increase the contract limit from $51,000,000 to $51,490,000; and

7   WHEREAS, The Board of Supervisors approved the Fifth Amendment to the

8 contract on September 25, 2012 by Resolution # 353-12 to increase the contract limit

9 from $51,490,000 to $67,890,000 to exercise the second of two options to extend the

10 contract by one year through December 31, 2013, and to update standard contractual

11 clauses; and

12   WHEREAS, The Director of the Office of Contract Administration and the

13 Purchaser approved the Sixth Amendment to the contract with Xtech on July 02, 2013

14 to increase the contract limit from $67,890,000 to $68,380,000; and

15   WHEREAS, The Office of Contract Administration estimates that the money

16 projected to be spent with Xtech could reach the contract's limit in the reasonably near

17 future; and

18   WHEREAS, Charter section 9.118(b) "Contract and Lease Limitations," requires

19 the Board of Supervisors to approve any contract estimated to exceed $10 million in

20 expenditures or amendments exceeding $500,000 to such contracts; now, therefore, be

21 it

22   RESOLVED, That the Board of Supervisors authorizes the Director of the Office

23 of Contract Administration and the Purchaser to enter into the Seventh Amendment to

24 the contract with Xtech to increase the contract limit from $68,380,000 to $79,830,000

25 in substantially the form with the Clerk of the Board in such final form as approved by

1   the Purchaser and Director of the Office of Contract Administration and the City

2   Attorney; and, be it

3   FURTHER RESOLVED, That within thirty (30) days of the contract being fully

4   executed by all parties, the Purchaser and Director of the Office of Contract

5   Administration shall provide the final contract to the Clerk of the Board for inclusion into

6   the official file.

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