



Legislation Text

File #: 2021-0333, Version: 2

DATE: October 12, 2021

SUBJECT:

RESOLUTION AUTHORIZING FIVE YEAR AGREEMENT WITH XEROX CORPORATION TO PROVIDE MANAGED PRINT SERVICES AND DOCUMENT PRODUCTION AND PUBLISHING FOR A TOTAL AGGREGATE NOT TO EXCEED AMOUNT OF \$1,500,000. THIS SERVICE HAS BEEN DEEMED AN OPERATIONAL NECESSITY. FUNDS REQUIRED FOR FISCAL YEAR 2022 HAVE BEEN BUDGETED AND FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR AND COST ACCOUNT, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.

EXECUTIVE SUMMARY:

The District has been using Xerox to manage District print services, document production and publishing (Managed Print Services Program) since 2014. This program achieved significant savings over the years by optimizing and standardizing printers and reducing the overall footprint of printing services; thereby, significantly reducing technical staff time required to support print functions. Additionally, it saves physical storage space required for consumables, eliminates the administrative time required to manage consumables, and increases control of print output.

The current agreement with Xerox is set to terminate in November 2021. Staff proposes authorizing a new Master Services Agreement with Xerox Corporation for five years in an amount not to exceed \$1,500,000 by leveraging the pre-competed Omnia Cooperative Agreement for Region 4 Education Service Center (ESC), Contract # R171406 between Region 4 ESC now OMNIA and Xerox.

Board of Port Commissioners (BPC) Policy 110 Section II.S, the "Procedure for The Administration of Contracts, Agreements, The Purchasing of Supplies, Materials, And Equipment, And Grants," allows the District to participate in collaborative solicitations with other public agencies and to develop agreements with vendors resulting from these collaborative bidding efforts. BCP Policy 110 also authorizes the Executive Director or authorized designee to avail the District of pricing and terms for services competitively solicited by other public agencies.

OMNIA Partners, Public Sector <<https://nam11.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.omniapartners.com%2Fpublicsector&data=04%7C01%7Ccjolin%40portofsandiego.org%7C040afc553198472e2bbd08d97ee96451%7Cb3ce7f6bbd3f49e7bb2463bed67d2a28%7C0%7C0%7C637680363158345174%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBtil6lk1haWwiLCJXVCi6Mn0%3D%7C1000&sdata=DlhpnkLByQFjr0YX0NhIfQbwrzequZC5Pb%2FXdz%2F%2Fi4A%3D&reserved=0>> is a purchasing organization for state and local government, K-12 education, colleges, and universities. All cooperative purchasing contracts available through OMNIA Partners,

Public Sector are competitively solicited and publicly awarded by a lead agency using applicable procurement laws and regulations. OMNIA Partners also employs a team with significant public procurement experience.

RECOMMENDATION:

Adopt a Resolution Authorizing a five-year master services agreement with Xerox Corporation for managed print services and document production and publishing in an amount not to exceed \$1,500,000.

FISCAL IMPACT:

Funds for FY 2022 expenditures are budgeted in the Technology Management Equipment Maintenance - Outside Services expense budget. Funds required for future fiscal years will be budgeted for in the appropriate fiscal years, subject to Board approval upon adoption of each fiscal year's budget.

Cash Requirement Forecast	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26
Services - Professional & Other	\$ 300,000	300,000	300,000	300,000	300,000
	<u>\$ 1,500,000</u>	Total Cash Requirement			

COMPASS STRATEGIC GOALS:

This agenda item supports the following Strategic Goal(s).

- A Port that the public understands and trusts.
- A Port with an innovative and motivated workforce.
- A financially sustainable Port that drives job creation and regional economic vitality.

DISCUSSION:

In 2014 the Board awarded an agreement with Xerox Corporation, following Request for Proposals No. 14-15, for Managed Print Services and Document Production and Publishing. Prior to outsourcing these printing services, the District maintained an arsenal (~300) of copy/print/fax machines of various makes, models, and feature sets. The District also stocked the various toner, ink, and other consumables required to keep this multitude of machines running.

Managed Print Services and Document Production and Publishing (Managed Print Services Program) is the active management and optimization of document output devices and related business processes. Managed print services consist of the following:

- Manage the volume and nature of printing
- Monitor print devices
- Analyze and track printing activity by user and department

The goal of outsourcing print services and print management is to consolidate and standardize machines, reduce the footprint of the copy/print landscape and associated consumables, streamline delivery of print service, and reduce costs. Over the years, the Managed Print Services Program has proven successful and exceeded its goals. It is estimated that this program resulted in an approximate 40-50% savings.

During the agreement with Xerox Corporation, the Board authorized two amendments to extend services beyond the initial termination date. The last amendment, Amendment 2, authorized by the Board in April of 2020, extended the termination date to November 2021, and only renewed the leases for printing services for departments that had to be onsite during the pandemic. This allowed the Information Technology department to realize significant savings during the budget restrictive year by returning a large portion of the printing/copying devices to Xerox.

To continue the long-standing success of the Managed Print Services Program while allowing the District flexibility to adjust to its changing landscape of printing needs, a new agreement with Xerox Corporation is required.

Section II.S of Board of Port Commissioners Policy 110, the “Procedure for The Administration of Contracts, Agreements, The Purchasing of Supplies, Materials, And Equipment, And Grants,” allows the District to participate in collaborative solicitations with other public agencies to procure services and develop agreements with vendors resulting from these collaborative bidding efforts. The Executive Director or authorized designee may avail the District of pricing and terms for services competitively solicited by other public agencies.

OMNIA Partners, Public Sector <<https://nam11.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.omniapartners.com%2Fpublicsector&data=04%7C01%7Ccj0slin%40portofsandiego.org%7C040afc553198472e2bbd08d97ee96451%7Cb3ce7f6bbd3f49e7bb2463bed67d2a28%7C0%7C0%7C637680363158345174%7CUnknown%7CTWfpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBtIl6lk1haWwiLCJXVCi6Mn0%3D%7C1000&sdata=DlhpnkLByQFjr0YX0NhlfQbwrzequZC5Pb%2FXdz%2F%2Fi4A%3D&reserved=0>> a purchasing organization for state and local government, K-12 education, colleges, and universities. All contracts available have been competitively solicited and publicly awarded by a government entity serving as the lead agency while utilizing industry best practices and processes.

Staff recommends leveraging a pre-competed agreement between Omnia Partners and Xerox Corporation (Omnia Cooperative Agreement for Region 4 ESC Contract # R171406 between Region 4 ESC now OMNIA and Xerox) to enter into a new Master Services Agreement with Xerox.

General Counsel's Comments:

The General Counsel's Office reviewed this agenda and approved the proposed agreement as to form and legality.

Environmental Review:

The proposed Board action, including without limitation, a resolution authorizing an agreement to provide managed print services, does not constitute a “project” under the definition set forth in

California Environmental Quality Act (CEQA) Guidelines Sections 15352 and 15378 because no direct or indirect changes to the physical environment would occur. CEQA requires that the District adequately assess the environmental impacts of projects and reasonably foreseeable activities that may result from projects prior to the approval of the same. Any project developed as a result of the proposed Board action that requires the District or the Board's discretionary approval resulting in a physical change to the environment will be analyzed in accordance with CEQA prior to such approval. CEQA review may result in the District, in its sole and absolute discretion, requiring implementation of mitigation measures, adopting an alternative, including without limitation, a "no project alternative" or adopting a Statement of Overriding Consideration, if required. The proposed Board action in no way limits the exercise of this discretion. Therefore, no further CEQA review is required.

The proposed Board action allows for the District to implement its obligations under Sections 35 and 81 of the Port Act, which authorize the Board to do acts necessary and convenient for the exercise of its power; and the use funds for necessary expenses of conducting the District. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed Board action is consistent with the Public Trust Doctrine.

The proposed Board action does not allow for "development," as defined in Section 30106 of the California Coastal Act, or "new development," pursuant to Section 1.a. of the District's Coastal Development Permit (CDP) Regulations because it will not result in, without limitation, a physical change, change in use or increase the intensity of uses. Therefore, issuance of a Coastal Development Permit or exclusion is not required. However, development within the District requires processing under the District's CDP Regulations. Future development, as defined in Section 30106 of the Coastal Act, will remain subject to its own independent review pursuant to the District's certified CDP Regulations, PMP, and Chapters 3 and 8 of the Coastal Act. The proposed Board action in no way limits the exercise of the District's discretion under the District's CDP Regulations. Therefore, issuance of a CDP or exclusion is not required at this time.

Diversity, Equity, and Inclusion Program:

No direct DEI impact.

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Attachment(s):

Attachment A: Master Services Agreement with Xerox Corporation

Attachment B: Omnia Cooperative Agreement for Region 4 ESC Contract # R171406 between Region 4 ESC now OMNIA and Xerox