



86
C.O.#139961

**COMMISSIONERS COURT
COMMUNICATION**

REFERENCE NUMBER _____

PAGE 1 OF 6

DATE: 12/13/2022

SUBJECT: RFP NO. 2017-057 AND RFP NO. 2020-054 - ANNUAL CONTRACT FOR MAINFRAME HOSTING, MANAGED SERVICES AND DISASTER RECOVERY SERVICES, AND ANNUAL CONTRACT FOR MAINFRAME APPLICATION SUPPORT - INFORMATION TECHNOLOGY - DATA MANAGEMENT ASSOCIATES OF BREVARD, INC., D/B/A DATA MANAGEMENT

COMMISSIONERS COURT ACTION REQUESTED

It is requested that the Commissioners Court approve Fourth Amendment to Master Service Agreement for RFP No. 2017-057 and RFP No. 2020-054, Annual Contract for Mainframe Hosting, Managed Services and Disaster Recovery Services, and Annual Contract for Mainframe Application Support, with Data Management Associates of Brevard, Inc., d/b/a Data Management.

BACKGROUND

On June 7, 2022, the Commissioners Court, through Court Order #138286, approved Second Amendment to Master Service Agreement, which extended RFP No. 2017-057, Annual Contract for Mainframe Hosting, Managed Services and Disaster Recovery Services, through January 15, 2023; and RFP No. 2020-054, Annual Contract for Mainframe Application Support, through September 30, 2022.

On September 27, 2022, the Commissioners Court, through Court Order #139287, approved Third Amendment to Master Service Agreement, which extended RFP No. 2020-054, Annual Contract for Mainframe Application Support, through December 31, 2022.

The Fourth Amendment to Master Service Agreement is to extend RFP No. 2017-057, Annual Contract for Mainframe Hosting, Managed Services and Disaster Recovery Services, through March 31, 2023; and RFP No. 2020-054, Annual Contract for Mainframe Application Support, through February 28, 2023, at a combined negotiated price of \$316,290.00.

The contract is attached for approval and signature. The Criminal District Attorney's Office reviewed this contract as to form.

FISCAL IMPACT

Funding in the amount of \$316,290.00 is available in the following accounts:

\$ 53,380.00	569011/10000-2023/1810410000
\$262,910.00	562031/10000-2023/1810201000

SUBMITTED BY: Purchasing

PREPARED BY: Elaine Johnson, CPPB
APPROVED BY: Chris Lax, CPSM, CPSD, CPCP



FOURTH AMENDMENT TO MASTER SERVICE AGREEMENTS WITH DATA MANAGEMENT ASSOCIATES OF BREVARD, INC. DBA DATA MANAGEMENT

THIS AMENDMENT TO MASTER SERVICE AGREEMENTS is made as of December 13, 2022, between Data Management Associates of Brevard, dba Data Management (Company) and Tarrant County, TX (Customer).

RECITALS

- A. As a result of RFP No. 2017-057, the Company and Customer entered into a MASTER SERVICE AGREEMENT (MSA) No. MSA-042017-01 dated May 2, 2017, for the Company to provide Mainframe Hosting, Managed Services, and Disaster Recovery Services. The original term was twenty-four (24) months, with three (3) options for renewal periods of twelve (12) months each. The final renewal period ended on May 1, 2022, but was extended until July 31, 2022, via an Amendment executed on January 18, 2022, and further extended until January 15, 2023 via an Amendment executed on June 7, 2022.
- B. As a result of RFP No. 2020-054, the Company and Customer entered into a MASTER SERVICE AGREEMENT (MSA) No. MSA-032020-01 dated March 24, 2020 for the Company to provide mainframe application support. The original term was twenty-four (24) months, with two (2) options for renewal periods of twelve (12) months each. The first renewal period ended on March 23, 2022, but was extended until July 31, 2022, via an Amendment executed on January 18, 2022, and further extended until September 30, 2022 via an Amendment executed on June 7, 2022 and again until December 31, 2022 via an Amendment executed on September 27, 2022.
- C. The Customer has determined that it is necessary to amend both agreements with the Company to extend both contracts from their current end date at a negotiated cost and additional terms and conditions.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by reference, the following mutual covenants and conditions and, the receipt and sufficiency of which are hereby acknowledged, the Company and the Customer hereby agree to amend the Agreements as follows:

- A. Contract RFP No. 2017-057 - Mainframe Hosting, Managed Services, and Disaster Recovery Services - Amend the Master Service Agreement (MSA) No. MSA-042017-01 and related Statement of Works, including Self Service Password Reset to extend the term from January 16, 2023 through and including March 31, 2023.

Cost - \$262,910.00

(Calculated at \$104,490.00 per month for February and March 2023, plus the prorated amount of \$53,930.00 for January 16 through January 31, 2023.)
- B. Contract RFP No. 2020-054 - Mainframe Application Support - Amend the Master Service Agreement (MSA) No. MSA-032020-01 and Statement of Work to extend the term from January 1, 2023 through and including February 28, 2023.

Cost - \$53,380.00

(Calculated at \$26,690.00 per month for January and February 2023)

- C. Notwithstanding anything previously agreed to verbally or in writing, the extension and amendment to the above-referenced contracts are non-cancellable without full payment.
- D. Data Management will continue to invoice the County monthly for services.
- E. The County will allow Data Management's application support staff to begin sanitization of the Tarrant County mainframe environment on March 16, 2023, at which time all data will be deleted from all Data Management systems and will not be recoverable.
- F. Upon completion of the sanitization process (approximately two weeks), Data Management will issue certificates of destruction to the County.

IN WITNESS WHEREOF, the parties hereto have executed this instrument as of the date and year first set forth above.

Data Management

Michael D. Everett
Signature of Authorized Representative

12/1/2022
Date

County of Tarrant, State of Texas:

B. Glen Whitley
B. Glen Whitley, County Judge
12-13-2022
Date

APPROVED AS TO FORM:

Kimberly C. Wesley
Criminal District Attorney's Office*

CERTIFICATION OF AVAILABLE FUNDS:

\$ 316,290.00
Renee Tidwell
Tarrant County Auditor

*By law, the Criminal District Attorney's Office may only approve contracts for its clients. We reviewed this document as to form from our client's legal perspective. Other parties may not rely on this approval. Instead those parties should seek contract review from independent counsel.

December 1, 2022

Mr. Anthony C. Jackson, Director - Network & Data Center Infrastructure
Tarrant County Texas
Plaza Building
200 Taylor St. 4th Floor
Fort Worth, 76196

Re: RFP No. 2017-057 – Annual Contract for Mainframe Hosting, Managed Services, and Disaster Recovery Services AND RFP No. 2020-054 – Mainframe Application Support

Mr. Jackson,

Please accept this letter as our quote for extending the above referenced contracts. As I understand the County's request, they desire to extend both contracts from the current end dates of December 31st, 2022 for Mainframe Application Support and January 15, 2023 for Mainframe Hosting, Managed Services, and Disaster Recovery Services. The new end dates would be February 28th, 2023 for Mainframe Application Support and March 31st, 2023 for Mainframe Hosting, Managed Services, and Disaster Recovery Services. Based on this, Data Management proposes the following costs, terms, and conditions.

- 1) Contract RFP No. 2020-054 – Mainframe Application Support – Amend the Master Service Agreement (MSA) No. MSA-032020-01 and Statement of Work to extend the term from January 1, 2023 through and including February 28, 2023.

Cost - \$53,380
(Calculated at \$26,690 per month for the Months of January and February 2023)

- 2) Contract RFP No. 2017-057 – Mainframe Hosting, Managed Services, and Disaster Recovery Services – Amend the Master Service Agreement (MSA) No. MSA-042017-01 and related Statement of Works, including Self Service Password Reset to extend the term from January 16, 2023 through and including March 31, 2023.

Cost - \$262,910
(Calculated at \$104,490 per month for February and March 2023, plus the prorated amount of \$53,930 for January 16th through the 31st)

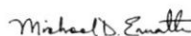
Additional Terms and Conditions

- 1) Notwithstanding anything previously agreed to verbally or in writing, the extension and amendment to the above referenced contracts are non-cancellable without full payment.
- 2) Data Management will continue to invoice the County monthly for services.
- 3) The County will allow Data Management's application support staff to begin sanitization of the Tarrant County mainframe environment on March 16, 2023 at which time all data will be deleted from all Data Management systems and will not be recoverable.

- 4) Upon completion of the sanitization process (approximately two weeks), Data Management will issue certificates of destruction to the County.

If you have any questions or concerns, please contact me. Please let me know how I can assist with the contracting portion of this amendment.

Regards,



Digitally signed by Michael
Everette
Date: 2022.12.02 09:50:41
-05'00'

Michael Everette
President