

**RESOLUTION 2015-37**

**RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH NEXUS IS, INC. A CALIFORNIA CORPORATION, FOR CISCO SMARTNET TOTAL CARE MAINTENANCE SERVICES FROM MAY 1, 2015 THROUGH APRIL 30, 2016, FOR AN AMOUNT NOT TO EXCEED \$159,924.25 AND DIRECTING STAFF TO ISSUE ANOTHER REQUEST FOR PROPOSALS FOR THE ADDITIONAL AS-NEEDED MAINTENANCE SERVICES REQUESTED IN RFP 14-47**

**WHEREAS**, the San Diego Unified Port District (District) is a public corporation created by the legislature in 1962 pursuant to Harbors and Navigation Code Appendix 1, (Port Act); and

**WHEREAS**, the Board of Port Commissioners (BPC) adopted BPC Policy No. 110 to establish a policy governing the processing and administration of public projects, consulting and service agreements, the purchasing of supplies, materials, and equipment, and grants; and

**WHEREAS**, at the March 10, 2015 BPC meeting, staff introduced a proposed agreement for Cisco SMARTnet Total Care Maintenance Services; and

**WHEREAS**, due to receiving a single bid for the Request for Proposal No. 14-47 (RFP 14-47) the BPC passed Resolution 2015-24 directing staff to enter into a modified version of the proposed agreement, executing one year of maintenance for \$225,719.27 and directed staff to go back out for bid for the future years of additional as-needed maintenance services; and

**WHEREAS**, during the discussion staff had mistakenly characterized the "Initial Order" for \$225,719.27 as "one year" of maintenance; and

**WHEREAS**, the "Initial Order" included in the proposed agreement actually included up to five years of SMARTnet Total Care Maintenance Services on certain hardware items; and

**WHEREAS**, based on this miscommunication the BPC rescinded resolution 2015-24; and

**WHEREAS**, staff negotiated a new agreement for one year of SMARTnet Total Care Maintenance Services for \$159,924.25 which is consistent with the discussion of this matter at the March 10, 2015 BPC meeting; and

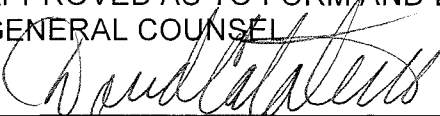
**WHEREAS**, staff will be releasing another RFP for future SMARTnet Maintenance Orders as discussed at the March 10, 2015 BPC meeting; and

**WHEREAS**, once that Request for Proposals is completed an agreement for future SMARTnet Total Care Maintenance Services will be brought to the BPC for consideration.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Port Commissioners of the San Diego Unified Port District, as follows:

That the Executive Director or his designated representative is hereby authorized on behalf of the San Diego Unified Port District to select and enter into an agreement with Nexus IS, Inc. a California Corporation, for Cisco SMARTnet Total Care Maintenance Services from May 1, 2015 through April 30, 2016, for an amount not to exceed \$159,924.25 and direct staff to issue another request for proposals for the additional as-needed maintenance services requested in Request For Proposals 14-47.

APPROVED AS TO FORM AND LEGALITY:  
GENERAL COUNSEL

  
\_\_\_\_\_  
By: ~~Assistant~~ Deputy

2015-37

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 14<sup>th</sup> day of April, 2015, by the following vote:

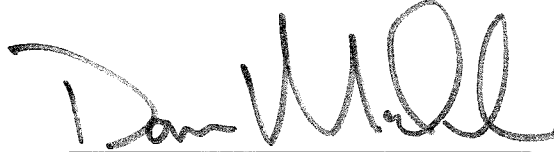
AYES: Bonelli, Castellanos, Malcolm, Merrifield, Nelson, and Valderrama.

NAYS: None.

EXCUSED: Merrifield and Moore.

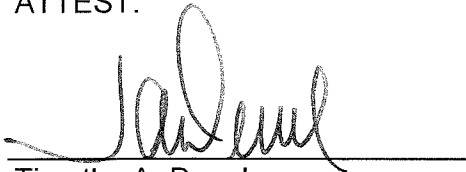
ABSENT: None.

ABSTAIN: None.

A handwritten signature in black ink, appearing to read "Dan Malcolm", written over a horizontal line.

Dan Malcolm, Chairman  
Board of Port Commissioners

ATTEST:

A handwritten signature in black ink, appearing to read "Timothy A. Deuel", written over a horizontal line.

Timothy A. Deuel  
District Clerk

(Seal)