

**County of San Mateo
Contractor's Declaration Form**

I. CONTRACTOR INFORMATION

Contractor Name:	Cell Marketing L.P.	Phone:	512.728.4873
Contact Person:	Libby Essinger	Fax:	512.283.9092
Address:	One Dell Way Round Rock TX 78682		

II. EQUAL BENEFITS (check one or more boxes)

Contractors with contracts in excess of \$5,000 must treat spouses and domestic partners equally as to employee benefits.

- Contractor complies with the County's Equal Benefits Ordinance by:
 - offering equal benefits to employees with spouses and employees with domestic partners.
 - offering a cash equivalent payment to eligible employees in lieu of equal benefits.
- Contractor does not comply with the County's Equal Benefits Ordinance.
- Contractor is exempt from this requirement because:
 - Contractor has no employees, does not provide benefits to employees' spouses, or the contract is for \$5,000 or less.
 - Contractor is a party to a collective bargaining agreement that began on _____ (date) and expires on _____ (date), and intends to offer equal benefits when said agreement expires.

III. NON-DISCRIMINATION (check appropriate box)

- Finding(s) of discrimination have been issued against Contractor within the past year by the Equal Employment Opportunity Commission, Fair Employment and Housing Commission, or other investigative entity. Please see attached sheet of paper explaining the outcome(s) or remedy for the discrimination.
- No finding of discrimination has been issued in the past year against the Contractor by the Equal Employment Opportunity Commission, Fair Employment and Housing Commission, or any other entity.

IV. EMPLOYEE JURY SERVICE (check one or more boxes)

Contractors with original or amended contracts in excess of \$100,000 must have and adhere to a written policy that provides its employees living in San Mateo County up to five days regular pay for actual jury service in the County.

- Contractor complies with the County's Employee Jury Service Ordinance.
- Contractor does not comply with the County's Employee Jury Service Ordinance.
- Contractor is exempt from this requirement because:
 - the contract is for \$100,000 or less.
 - Contractor is a party to a collective bargaining agreement that began on _____ (date) and expires on _____ (date), and intends to comply when the collective bargaining agreement expires.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that I am authorized to bind this entity contractually.

Libby Essinger
Signature

Libby Essinger
Name

10/5/07
Date

Mgr. Contracts
Title

Waiver Request Memo

Date: 9/26/2007
To: County Manager's Office
From: Chris Flatmoe, CIO/Director, Information Services
Subject: Dell Master Lease Agreement Waiver Request

The following waiver and/or modification is being requested:

Equal Benefits Ordinance _____
Non-Discrimination Enforcement Language _____
Extending the contract beyond three years X
Contractor Employee Jury Service Ordinance _____

To amend a contract with Dell Marketing, LP allowing the Purchasing Agent to sole source the leasing of Dell equipment for all departments, with no costs being associated with the Master Lease Agreement (MLA).

This waiver and/or modification is necessary and in the best interest of the County for the following reason(s):

- Necessary in order to respond to an emergency
- Sole Source
- No compliant contractors are capable of providing the goods/service
- Inconsistent with a grant, subvention or agreement with a public agency
- Is part of a Cooperative or Joint Purchasing Agreement
- Other

Included is a detailed explanation of the reason(s) checked above.

In October 2004, the County entered into a three-year Master Lease Agreement (MLA) with Dell Marketing LP, which allowed the Purchasing Agent to sole source Dell equipment for all departments. The original Board Memo requested an option to extend the MLA for an additional two years by mutual agreement. The MLA will expire on October 18, 2007. ISD is asking that the two-year option be exercised, so the County can continue moving to a more homogenous environment for laptop and desktop personal computers (PCs), and continue the trend towards reducing the total cost of ownership for PC equipment.

- Approved
- Not Approved



Signing Authority

9-28-07

Date

County Counsel Review Form

Date: 9/21/07
To: Judith Holiber
From: Joy Cheechov, ext 4550
Subject: Dell Marketing Master Lease Agreement Amendment Review and Approval

Contractor: Dell Marketing LP

Maximum Amount: n/a

Rate of Payment: n/a

No changes on the standard agreement form

The following sections have been changed/added on the "standard" agreement:

<i>Section No. & Title</i>	<i>Approved As Is [For County Counsel Use Only]</i>	<i>Modifications Required [For County Counsel Use Only]</i>

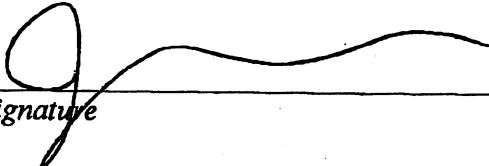
Modifications (Please specify modifications to be made below. Use additional paper if needed.):

Amend end date: Start:
October 19, 2004, Old End Date: October 18, 2007
New End: October 17, 2009

Add Jury Services Language to Master Lease Agreement Form

Approve Amendment/Exhibits/Attachments

Approve Amendment/Exhibits/Attachments with the modifications that have been described



Signature

9/26/07

Date