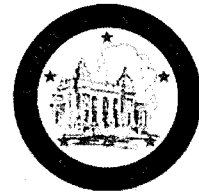


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM  
3.16  
(ID # 10646)

**MEETING DATE:**

Tuesday, August 27, 2019

**FROM:** HUMAN RESOURCES:

**SUBJECT:** HUMAN RESOURCES: Approval of Amendment (ORDER FORM SIX) to the Termed Master Training Agreement with SumTotal Systems, LLC for Learning Management System (LMS); All Districts. [\$829,128 - 100% Departmental Charges]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the Amendment (ORDER FORM SIX) to the Termed Master License Agreement with Skillsoft Corporation for licensing and support to utilize the Enterprise Learning System (LMS) provided by Sumtotal Systems, LLC (a wholly owned subsidiary of Skillsoft Corporation), extending the contract term for an additional four years through June 30, 2023 for a total aggregate amount of \$829,128;
2. Authorize the Purchasing Agent, in accordance with Ordinance No. 459, based on the availability of fiscal funding and as approved by County Counsel to sign amendments that exercise the options of the agreement including modifications to the scope of work that stay within the intent of the Agreement; and
3. Authorize the Chairman of the Board to sign three (3) copies of the Amendment on behalf of the County and direct the Clerk of the Board to retain one (1) copy of the Agreement and return two (2) copies of the Agreement to the Human Resources Department for distribution.

**ACTION:Policy**

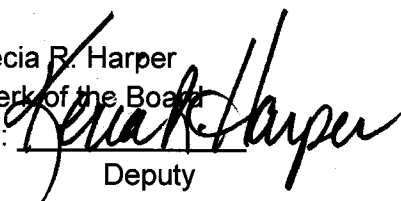
  
Brenda Diederichs, Assistant CEO / Human Resources Director 8/14/2019

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Washington, seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None  
Date: August 27, 2019  
xc: HR

Kecia R. Harper  
Clerk of the Board  
By: 

Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 180,168	\$ 216,320	\$ 829,128	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> Departmental Charges			<b>Budget Adjustment: NO</b>	
			<b>For Fiscal Year: 2019/20 – 2022/23</b>	

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

Human Resources Department (HR) is seeking to continue the use of the SumTotal Enterprise Learning Management System (LMS) approved by the Board in August of 2016.

In fiscal year 2015, HR conducted a competitive bid process that was awarded and approved by the Board of Supervisors on January 6, 2015, Agenda Item 3-24, to obtain a library of online courses and the basic supporting learning management system with limited licensing from Skillsoft Corporation.

In August 23, 2016, Agenda Item 3-47, the Board approved Amendment, (Order Form Three), for licensing and support to utilize Skillsoft SumTotal LMS for fiscal years 16/17, 17/18, and 18/19 at a total cost of \$709,808. This replaced the County's outdated system with Skillsoft's SumTotal cloud-based LMS in order to support legally required and Board mandated training, required training for the EPIC system at RUHS, and employee learning county-wide.

Since implementation in February 2017, utilization of the LMS has helped Riverside County mitigate risk and liability by dramatically increasing county-wide compliance with legally required and Board mandated training on important topics like employee safety, ethics, information security and more; while saving roughly \$2.2 million in labor hours and avoided travel expense, equivalent to 26 FTE's.

In addition to utilization by the Human Resources Department's Learning and Organizational Development Division, Riverside University Health System-Medical Center, Riverside University Health System-Behavioral Health Department, Riverside University Health System-Public Health Department, Sheriff's Department, Department of Public Social Services (DPSS), and Flood Control District have been utilizing the system to support their respective learning activities.

**Impact on Residents and Businesses**

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

The system will allow County employees to continue access to needed training. This feature supports multiple elective and mandated training courses and will manifest in a workforce better prepared to serve the community.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

Two components have been added to the renewal proposal: additional storage and enabling the auditing component of the SumTotal LMS. Upgraded storage to 500GB is valued at \$25,200/year. Enabling Auditing is valued at \$43,500/year. Both are included for an additional cost of \$10,000/year.

**Contract History and Price Reasonableness**

The original number of users is expected to decrease from 34,750 on average to 31,000. On a price-per-user basis, agreement provides a product that works out to \$7.91 for the current user count vs. \$6.98 being charged to the County for the renewal user count – an 11.8% discount.

**ATTACHMENTS:**

- A. Skillssoft Proposal and Scoping Document: ORDER FORM SIX
- B. Approved H-11
- C. Approved Sole Source Form

  
Teresa Summers, Director of Purchasing 8/19/2019

  
Gregory V. Priamos, Director County Counsel 8/20/2019

  
Jim Smith, Chief Technology Officer 8/19/2019

# RIVCO HR

putting people first

Date: August 9, 2019  
From: Brenda Diederichs, Assistant CEO/Human Resources Director  
To: Board of Supervisors/Purchasing Agent  
Via: Jennifer Fuller, Deputy HR Director, 955-3557  
Subject: Sole Source Procurement; Request for Skillssoft Sumtotal Enterprise Learning Management System (LMS)

The below information is provided in support of my Department requesting approval for a sole or single source.

1. **Supplier being requested: Sumtotal Systems Inc**

2. **Vendor ID: 57801**

3.  **Single Source**  **Sole Source**

*(Single Source - is a purchase of a commodity or service without obtaining competitive bids although more than one source is available)*

*(Sole Source - is a purchase of a commodity or service that is proprietary or no other vendor is qualified or willing to meet the county specified requirements)*

4. **Have you previously requested and received approval for a sole or single source request for this vendor for your department?** *(If yes, please provide the approved sole or single source number).*

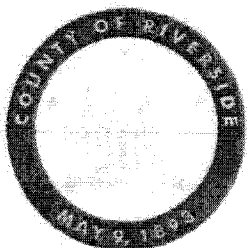
Yes

No

4a. **Was the request approved for a different project?**

Yes

No



**Brenda L. Diederichs**  
Assistant CEO/HR Director

**Michael Bowers** - Assistant HR Director  
**Sarah Franco** - Assistant HR Director  
**Brandi Hune** - Assistant HR Director  
**Jennifer Fuller** - Deputy HR Director  
**Mylene Daniels** - Deputy HR Director

# RIVCO HR

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**5. Supply/Service being requested:**

31,000 licenses to cover both county and non-county participants.

**6. Unique features of the supply/service being requested from this supplier.**

Human Resources is seeking approval to amend the current contract to retain the Sumtotal Learning Management System as the County's method of providing mandated and other professional training. This system reduces cost by consolidating systems, providing functionality to reduce labor, and creating a single, comprehensive source for employee learning records.

**7. Reasons why my department requires these unique features from the vendor and what benefit will accrue to the county:**

Since implementation in February 2017, utilization of the Sumtotal LMS has helped Riverside County mitigate risk and liability by dramatically increasing county-wide compliance with legally required and Board mandated training on important topics like employee safety, ethics, information security and more; while saving roughly \$2.2 million in labor hours and avoided travel expense, equivalent to 26 FTE's

**8. Period of Performance:** From: FY 2019/20 to FY 2022/23  
(total number of years)

Is this an annually renewable contract?

No

Yes

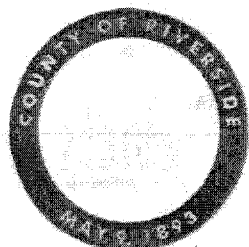
Is this a fixed-term agreement:

No

Yes

*(A fixed-term agreement is set for a specific amount of time; it is not renewed annually. Ensure multi-year fixed-term agreements include a cancellation, non-appropriation of funds, or refund clause. If there is no clause(s) to that effect, then the agreement must be submitted to the Board for approval. No exemptions shall apply.)*

**9. Identify all costs for this requested purchase. In addition, please include any single or sole source amounts previously approved and related to this project and vendor in the section designated below for current and future fiscal years. You do not need to include previous fiscal year amounts. If approval is for multiple years, ongoing costs**



**Brenda L. Diederichs**  
Assistant CEO/HR Director

**Michael Bowers** – Assistant HR Director  
**Sarah Franco** – Assistant HR Director  
**Brande Hune** – Assistant HR Director  
**Jennifer Fuller** – Deputy HR Director  
**Mylene Daniels** – Deputy HR Director

# RIVCO HR

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must be identified below. If annual increases apply to ongoing costs such as CPI or other contract increases, provide the estimated annual cost for each consecutive year. If the annual increase may exceed the Purchasing Agent's authority, Board approval must be obtained. (Note: ongoing costs may include but are not limited to subscriptions, licenses, maintenance, support, etc.)

Description:	FY 19-20	FY20-21	FY21-22	FY22-23	Total
NTE:					
Licenses	\$180,168	\$216,320	\$216,320	\$216,320	\$829,128
Total Costs NTE	\$180,168	\$216,320	\$216,320	\$216,320	\$829,128

**10. Price Reasonableness:** (Explain why this price is reasonable or cost effective – were you provided government discounted pricing? Is this rate/fee comparable to industry standards?)

The price of usage is extended out at an average of \$6.98 per user license. This increased pricing from the previous contract includes and increased storage capacity for maintaining training and training records in the cloud.

The primary savings is in avoidance of labor costs associated with re-configuration of the current system and re-training participants in order to implement a new system.

**11. Projected Board of Supervisor Date (if applicable):** Tues., August 27, 2019.  
(Draft Form 11s, service agreement and or quotes must accompany the sole source request for Purchasing Agent approval.)

*Brenda Diederichs*

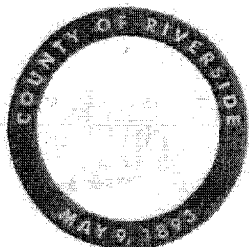
Department Head Signature  
(or designee)

Brenda Diederichs  
Print Name

8/9/19

Date

The section below is to be completed by the Purchasing Agent or designee.



**Brenda L. Diederichs**  
Assistant CEO/HR Director

Michael Bowers – Assistant HR Director  
Sarah Franco – Assistant HR Director  
Brandi Hune – Assistant HR Director  
Jennifer Fuller – Deputy HR Director  
Mylene Daniels – Deputy HR Director



# RIVCO HR

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Purchasing Department Comments:

**Approve**

Approve with Condition/s

Disapprove

Condition/s:

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Not to exceed:

One-time \$ \_\_\_\_\_

Annual Amount \$ \_\_\_\_\_ / per fiscal year through \_\_\_\_\_ (date)

(If Annual Amount Varies each FY)

FY 19/20: \$ 180,168

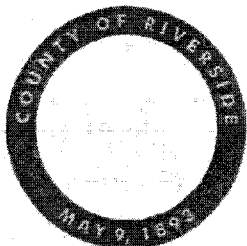
FY 20/21: \$ 216,320

FY 21/22: \$ 216,320

FY 22/23: \$ 216,320

FY \_\_\_\_\_: \$ \_\_\_\_\_

[Signature] 8/14/20 20-042  
 Purchasing Agent Date Approval Number  
 (Reference on Purchasing Documents)



**Brenda L. Diederichs**  
 Assistant CEO/HR Director

- Michael Bowers - Assistant HR Director
- Sarah Franco - Assistant HR Director
- Brande Hune - Assistant HR Director
- Jennifer Fuller - Deputy HR Director
- Mylene Daniels - Deputy HR Director



# RIVERSIDE COUNTY INFORMATION TECHNOLOGY PROCUREMENT FORM

<b>H11 Number:</b>	PR2019-09077		
<b>Requested Purchase:</b>	Sumtotal LMS System -		
<b>Department/Agency:</b>	Human Resources		
<b>Primary Contact/Phone:</b>	Jennifer Fuller	<b>Alternate Contact/Phone:</b>	
<b>Purchase Request Type:</b>			
<b>Describe Requested Purchase:</b>	In December 2014, HR conducted a competitive bid process to obtain a library of online courses and the supporting learning management system (LMS). We received a prior H-11 for the initial license period and for 28,000 user licenses. This H-11 is to renew the system for another four years for 31,000 users licenses.		
<b>Terms:</b>	Is this a Multi Year Contract?: False Length of Contract: 4 Start Date: 9/1/2019 End Date: 6/30/2023 12:00:00 AM Special Terms and Conditions:		
<b>Business Needs Addressed:</b>	HR uses the Sumtotal LMS is cloud based and serves as an enterprise system. Many departments have already come on board with their training records and more are looking to join. The number of user licenses is larger than the county employee population because many departments also require training records to be maintained for non-county staff. These additional licenses will be used for that purpose and billed separately to the user departments.		
<b>Are there other county systems that provide the same functionality?</b>	No		
<b>Business Criticality:</b>	Run the Business, Grow the Business, Transform the Business		
<b>Business Impact:</b>	Support Current Operations, Reduce Expenses, Improve Customer Service, Improve Operational Efficiencies		

Current Cost Itemization (Include all the year 1 cost)							
Item Description	Purchase Type	Vendor	Quantity	Unit Cost	Sub_Total	Item Tax	Total Cost
Sumtotal LMS System	Software - Renewal	Skillssoft	1	\$180,167.89	\$180,167.89		\$180,167.89
Sumtotal LMS System	Software - Renewal	Skillssoft	3	\$216,320.00	\$648,960.00		\$648,960.00
<b>Total:</b>							<b>\$829,127.89</b>

Annual Costs				
Item Description	Payment Type	Terms (In Years)	Payment amount	Total Annual Payments
<b>Total:</b>				

**Grand Total: \$829,127.89**

Accounting String						
To be completed for pass-thru purchases that will be processed by RCIT Only						
%Billed	Accounts (6 digits)	Dept.ID (6 -10 digits)	Program (5 digits)	Class (5 digits)	Grant (9 digits)	Customer Project Code (10 digits)

<b>Department Head or Authorized Designee Signature:</b> Mylene Daniels	<b>Date:</b> 8/7/2019 5:54 PM
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# RIVERSIDE COUNTY INFORMATION TECHNOLOGY PROCUREMENT FORM

RCIT Review (Standard purchases and renewals < \$25000) - Administrative Review Status		
Recommended:	By:	Date:
Denial Explanation:		
ACIO Review - ACIO Review Status		
Recommended:	By:	Date:
Yes	By: <i>[Signature]</i> For EA 13	8/8/19
Denial Explanation:		
CIO Review (Purchases and renewals >\$100K) CIO Review Status		
Recommended:	By:	Date:
Yes	By: <i>[Signature]</i>	8/12/19
Denial Explanation:		
TSOC Review (Purchases and renewals >\$100K) TSOC Review Status		
Recommended:	By:	Date:
Yes	By: <i>[Signature]</i>	8/13/19
Denial Explanation:		

**ORDER FORM SIX**

This Order Form No. Six together with any Exhibits attached hereto which are hereby incorporated by reference (the "Order Form") is effective as of 1 September 2019 (the "Effective Date") by and between SumTotal Systems LLC ("SumTotal"), a wholly owned subsidiary of Skillsoft Corporation, and County Of Riverside ("Customer") and issued in accordance with the terms and conditions and made a part of the Termed Master License Agreement between Skillsoft Corporation and Customer dated 31 December 2014 (the "Agreement") and the terms and conditions of Order Form Number Three dated September 1, 2016 which are hereby incorporated herein by reference. The parties agree that the term of the Agreement is hereby extended through the Subscription Term set forth below for a term of September 1, 2019 through June 30, 2023 (the "License Term Extension").

**1. SUBSCRIPTION SERVICE CONFIGURATION**

**SUBSCRIPTION TERM: START DATE: 1 SEPTEMBER 2019**

**END DATE: 30 JUNE 2023**

SOFTWARE MODULES	EXISTING COMMITTED NUMBER OF USERS	REDUCTION IN THE COMMITTED NUMBER OF USERS	TOTAL COMMITTED NUMBER OF USERS	LICENSE TYPE
8210-MOBILE FOR ELMS - SAAS	34,750	-3,750	31,000	NAMED USER
8822-SOCIAL LEARNING - SAAS	34,750	-3,750	31,000	NAMED USER
LEARN SAAS	34,750	-34,750	0	NAMED USER
LEARN SAAS W/ AUDIT	0	31,000	31,000	NAMED USER

**HOSTED ENVIRONMENT TYPE:** SaaS

**2. STORAGE ALLOWANCE (in GB):** Effective September 1, 2019, the Initial Storage Allowance (in GB) set forth in the Amendment No. 4 to the Agreement is hereby amended and replaced as follows: SumTotal will provide data storage as follows: 500 gigabytes of storage space. All environments provided (typically Production & Stage) are counted. If Customer exceeds the above allowances, Customer will be charged an additional monthly fee of \$8 for each additional GB used beyond the above allowances. This fee will be \$5 per month per additional GB if an amendment is signed to increase the storage allowance. The pricing outlined in the two preceding sentences is only valid for the Initial Subscription Term.

**3. SUBSCRIPTION FEES AND COMMITMENT.** Customer's total commitment hereunder is set forth below and is calculated as follows (the "Commitment Fee"). Applicable state and local taxes are not included in the totals below and will be calculated as of the date of the invoice(s) issued hereunder:

YEAR/TERM	ANNUAL SUBSCRIPTION FEES
STUB PERIOD (1 SEPTEMBER 2019 – 30 JUNE 2020)	\$180,167.89
Y1 (1 JULY 2020 – 30 JUNE 2021)	\$216,320.00
Y2 (1 JULY 2021 – 30 JUNE 2022)	\$216,320.00
Y3 (1 JULY 2022 – 30 JUNE 2023)	\$216,320.00
TOTAL	\$829,127.89

All fees shall be invoiced annually in advance and are due and payable 100% net 60 days from the date of invoice.

**4. ORDER FORM DEFINITIONS.** Any term not otherwise defined herein shall have the meaning provided it in the Agreement.

**Subscription Term** shall mean the period of time from the Start Date through the End Date.

AUG 27 2019 3.16

**RATIFICATION.** The terms and conditions of the Agreement shall govern the use of the Software provided hereunder.

The authorized representatives of SumTotal and Customer have executed this Order Form signifying their agreement to its contents.

**SUMTOTAL SYSTEMS LLC**  
 Signature *Michael Pellegrino*  
 Print Name Michael Pellegrino  
 Title Chief Financial Officer  
 Date 8/16/19

**COUNTY OF RIVERSIDE**  
 Signature \_\_\_\_\_  
 Print Name \_\_\_\_\_  
 Title \_\_\_\_\_  
 Date \_\_\_\_\_

**COUNTY OF RIVERSIDE**  
 Signature *Kevin Jeffries*  
 Kevin Jeffries, Chairman  
 Riverside County Board of Supervisors  
 Date AUG 27 2019

**COUNTY OF RIVERSIDE**  
 Signature *Kecia Harper-Ihem* Deputy  
 Kecia Harper-Ihem, Clerk  
 County Counsel  
 Date AUG 27 2019

**COUNTY OF RIVERSIDE**  
 Signature *David M. McCarthy*  
 David M. McCarthy  
 Deputy County Counsel  
 Date 20 Aug 2019

**CUSTOMER INFORMATION EXHIBIT**

BILL TO  
CONTACT  
PHONE  
E-MAIL  
ADDRESS  
CITY  
STATE  
COUNTRY  
ZIP CODE

County of Riverside
Bedan Kamau
951-955-9492
bkamau@rivco.org
3450 14th Street, 5th Floor
Riverside
CA
USA
92501

SHIP TO  
CONTACT  
PHONE  
E-MAIL  
ADDRESS  
CITY  
STATE  
COUNTRY  
ZIP CODE

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