

ORANGE COUNTY BOARD OF COMMISSIONERS

AGENDA

BOCC Virtual Special Meeting
July 14, 2020
Meeting – 7:00 p.m.

Due to current public health concerns, the Board of Commissioners is conducting a Virtual Special Meeting on July 14, 2020. Members of the Board of Commissioners will be participating in the meeting remotely. As in prior meetings, members of the public will be able to view and listen to the meeting via live streaming video at orangecountync.gov/967/Meeting-Videos and on Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

In this virtual process, there are two methods for public comment:

- Written submittals by email
- Speaking during the virtual meeting

Detailed public comment instructions for each method are provided at the bottom of this agenda. (Pre-registration is required.)

1. Call to Order
2. Announcements, Petitions and Comments by Board Members (Three Minute Limit Per Commissioner – No Board action can occur based on the comments provided.)
3. Resolution Regarding a Financing Agreement between Orange County Schools and J.P. Morgan to Provide Computers for Students
4. Adjourn

Public Comment Instructions

Public Comment – Written (for the items on the agenda above)

Members of the public may provide written public comment by submitting it to the ocbocc@orangecountync.gov email address by 3:00 PM on the afternoon of the meeting.

When submitting the comment, include the following:

- The date of the meeting
- The agenda item (example: Item #3) you wish to comment on
- Your name, address, email and phone number

The Orange County Board of Commissioners, County Manager, County Attorney and Clerk to the Board, will be copied on all of the emails that are submitted.

Public Comment – Verbal (for the items on the agenda above)

Members of the public are asked to contact the Clerk to the Board using the email address ocpubliccomment@orangecountync.gov no later than 3:00 PM on the day of the meeting and indicate they wish to speak during the meeting.

When submitting the request to speak, include the following:

- The date of the meeting
- The agenda item (example: Item #3) you wish to speak on
- Your name, address, email and phone number
- The phone number must be the number you plan to call in from if participating by phone

Prior to the meeting, speakers will be emailed a participant link to be able to make comments during the live meeting. Speakers may use a computer (with camera and/or microphone) or phone to make comments. Speakers using the phone for comments must use the provided PIN/Password number.

The public speaker's audio and video will be muted until the BOCC gets to the respective agenda item(s). Individuals who have pre-registered will then be brought into the public portion of the meeting one at a time.

If a member of the public encounters any concerns prior to or during the meeting related to speaking, please contact Greg Wilder at 919-245-2314.

Orange County Board of Commissioners' Business meetings, work sessions and other meetings are available via live streaming video at orangecountync.gov/967/Meeting-Videos and Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: July 14, 2020

**Action Agenda
Item No. 3**

SUBJECT: Resolution Regarding a Financing Agreement between Orange County Schools and J.P. Morgan to Provide Computers for Students

DEPARTMENT: Finance and Administrative Services

ATTACHMENT(S):

Attachment A. Resolution

INFORMATION CONTACT:

Paul Laughton, (919) 245-2152
Gary Donaldson, (919) 245-2453
Todd Jones, (919) 245-4100

PURPOSE: To adopt a resolution approving a financing agreement between Orange County Schools (OCS) and J.P. Morgan for the purchase of computers for students for FY 2020-24 to replace outdated and out of warranty equipment using a sustainable and predictable funding model.

BACKGROUND: In 2012, OCS embarked on a 1:1 computer initiative, providing individually assigned laptops to each student in grades 3-12. Teachers were also assigned laptops to complement the District's instructional approach to include digital access. Teachers, administrators, instructional support staff, and most central office employees use a Windows laptop or desktop.

In 2016, OCS refreshed its hardware used in the 1:1 program. Students from grades 3-12 were assigned individual Chromebooks and each classroom in grades K-2 was provided a cart of iPads. There were significant improvements provided by the 2016 refresh, including better performance, better security and greater ease of device management.

The end of reasonable life for the devices purchased in 2016 has arrived. These devices have served students and staff well, but increasing hardware failure rates, the concomitant expiration of the warranty coverage and general expectations for device longevity have the District in need of device replacement for students and staff.

With the unexpected coronavirus crisis and its significant impacts on instruction and operations, the District is more reliant than ever on reliable and portable technology for students and staff. Consequently, the need to ensure individually assigned technology is available to ALL students, including K-2, is acute. Similarly, staff reliance on portable technology to ensure remote work is efficient and effective has been increased significantly in this crisis.

Working closely with the District's legal counsel, the District's Information Technology staff developed a Request for Proposals (RFP) to solicit bids in accordance with State and District

purchasing requirements. The RFP sought bids on 8,000 Chromebooks for students in grades 1-12, including loaner equipment and 1,000 Windows laptops for all staff assigned computers to perform their work. Kindergartners will use repurposed iPads the District already has. The RFP also required accidental damage coverage to ensure the equipment would be continuously maintained for the next four years.

Three vendors responded to the RFP. The evaluation criteria listed in the RFP were used to determine the best responsive bid. Based on the evaluation criteria, the District's Information Technology staff recommended CDW-G as the vendor to receive the award. While the price difference between the two lowest bidders is slight, the staff device being proposed by the lowest bidder is nearly a half a pound heavier than the device proposed by CDW-G. In the evaluation, teachers unanimously indicated that weight was a significant factor for them, particularly if they were to use these devices in tablet mode while roaming the classroom.

During the Orange County Board of Education's June 22, 2020 Work Session, the Board unanimously approved the selection of CDW-G as the vendor, as well as approving J.P. Morgan as the financing institution for the purchase.

SOCIAL JUSTICE IMPACT: The provision of computers for all students in OCS will help address inequities among students' and families' access to digital resources.

ENVIRONMENTAL IMPACT: There are no Orange County Environmental Responsibility Goal impacts associated with this item.

FINANCIAL IMPACT: The total purchase cost is \$4,516,816.75. The district is utilizing currently available funds of \$1,516,816.75 from its Article 46 Sales Tax Technology project and School Capital Technology project towards the purchase. This leaves a balance of \$3,000,000, which will be installment financed with J.P. Morgan over a four (4) year period, with annual installment payments of \$771,116.94 over the fiscal years of 2020-21 through 2023-24.

Article 46 Sales Tax proceeds will be used to cover the required annual installment payments of \$771,116.94, and are included in the Orange County Schools Technology Plan project within the County's Capital Investment Plan.

RECOMMENDATION(S): The Manager recommends the Board adopt the resolution approving the financing agreement and authorize the Chair to sign the resolution regarding the agreement between Orange County Schools and J.P. Morgan for financing.

RESOLUTION**ORANGE COUNTY BOARD OF COMMISSIONERS
ORANGE COUNTY, NORTH CAROLINA**

WHEREAS, the Orange County Board of Education wishes to enter into a continuing contract for financing with J.P. Morgan, LLC pursuant to N.C. Gen. Stat. § 115C-528 for the purchase of certain computer hardware, software, and related equipment to be used for public school purposes; and

WHEREAS, the contract will require the Board of Education to pay J.P. Morgan up to \$3,084,467.76 over the 2020-21, 2121-22, 2022-23, and 2023-24 fiscal years; and

WHEREAS, the Board of Education will pay J.P. Morgan in approximate installments of \$771,116.94 in the 2020-21 fiscal year, \$771,116.94 in the 2021-22 fiscal year, \$771,116.94 in the 2022-23 fiscal year, and \$771,116.94 in the 2023-24 fiscal year; and

WHEREAS, the contract may be a continuing contract for capital outlay subject to the provisions of N.C. Gen. Stat. §§ 115C-441(c1) and 115C-528, including the approval of the Orange County Board of Commissioners.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Orange County Board of Commissioners agrees to appropriate sufficient funds to the Orange County Board of Education in ensuing fiscal years to meet the J.P. Morgan contract obligations so long as the amount the Board of Education shall be obligated to pay under that contract shall be generally equal to the amounts noted above. Said funds shall be a part of, and not in addition to, regular appropriations made to the Board of Education. Said funds obligated by this contract for fiscal years 2020-21, 2021-22, 2022-23, and 2023-24 shall be budgeted by the Board of Education for this purpose, and the Orange County Board of Commissioners shall not be obligated to increase its annual appropriation to the Orange County Board of Education by the amount due under the contract.

Adopted and resolved, this the _____th day of _____, 2020 by the Orange County Board of Commissioners.

Penny Rich, Chair
Orange County Board of Commissioners

Donna Baker
Clerk to the Board