



Legislation Details (With Text)

File #: 3135-2023 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/2/2023 **In control:** Technology Committee

On agenda: 12/11/2023 **Final action:** 12/14/2023

Title: To authorize the Director of the Finance and Management Department, on behalf of the Department of Technology, to establish a purchase order with Brown Enterprise Solutions, LLC, utilizing State Master Cloud Service Agreement - MCSA0016 for the procurement of various Adobe software application products through a Large Government Agency agreement (LGA) for the Department of Technology and various other city agencies; to waive the competitive bidding provisions of City code; and to authorize the expenditure of \$229,438.22 for the above-described purpose. (\$229,438.22)

Sponsors:

Indexes: MBE Participation

Code sections:

Attachments: 1. 3135-2023 EXP, 2. Brown Enterprise Q36661, 3. IHR Adobe 2024 Renwal EXP, 4. STS Request FormAdobeSSFApproval11_03_23, 5. Bid waiver 3135-2023

| Date | Ver. | Action By | Action | Result |
|------------|------|-----------------------|-------------------------|--------|
| 12/14/2023 | 1 | ACTING CITY CLERK | Attest | |
| 12/13/2023 | 1 | MAYOR | Signed | |
| 12/11/2023 | 1 | COUNCIL PRESIDENT | Signed | |
| 12/11/2023 | 1 | Columbus City Council | Approved | Pass |
| 12/4/2023 | 1 | Columbus City Council | Read for the First Time | |

BACKGROUND:

This ordinance authorizes the Director of the Finance and Management Department, on behalf of the Department of Technology (DoT), to establish a purchase order with Brown Enterprise Solutions, LLC, utilizing the State Master Cloud Service Agreement -- MCSA0016, for the procurement of various Adobe software application products through a Large Government Agency Agreement (LGA).

Adobe has historically focused on the creation of multimedia and creativity software products, with a more recent foray towards digital marketing software. Adobe is best known for its Photoshop image editing software, Acrobat Reader and Acrobat, the Portable Document Format (PDF), and Adobe Creative Suite, as well as its successor Adobe Creative Cloud. City departments use Adobe software to improve efficiency and enhance communications while meeting requirements such as HIPPA compliance.

Pricing for the above-described services was obtained via the State Master Cloud Service Agreement - MCSA0016. The two vendors approved to provide pricing through this vehicle are Software House International (SHI) and Brown Enterprise Solutions, LLC. Brown's pricing overall was lower than that submitted by SHI. As such, DoT recommends awarding the bid to Brown Enterprise Solutions, LLC, for \$229,438.22. Of this total, \$188,349.38 is for the continuation of 1,061 licenses. The balance of \$41,088.84 is contingency funds in the event additional licenses are needed.

The term of the contract will be for one year, from March 30, 2024, to March 29, 2025. This ordinance also authorizes the expenditure of up to \$229,438.22 for the above-described purpose. Finally, because only two (2) bids were received, the department requests a waiver of the relevant sections of Chapter 329 of Columbus City Codes pertaining to competitive

bidding.

The City of Columbus has been utilizing the State of Ohio Adobe product STS for several years now. The reason for using this contract has been due to Adobe having shared that we will get better pricing from this contract than having our own UTC. The Department of Technology is requesting the continued use of this contract to keep our existing subscription portal in place and continue to add any new subscriptions to this portal. DoT has reached out to all three resellers listed on the STS. Brown Enterprise Solutions, LLC provided the lowest and best bid.

FISCAL IMPACT:

The cost associated with this legislation for Brown Enterprise Solutions, LLC, to purchase Adobe software application products is \$229,438.22. Funding for this purchase is budgeted and available in the Department of Technology, Information Services Division, and Information Service Operating Fund.

CONTRACT COMPLIANCE:

Vendor Name: Brown Enterprise Solutions, LLC; EBO_CC#010668 Expiration: March 3, 2024, EBO_MBE#010668 Expiration: December 31, 2023.

To authorize the Director of the Finance and Management Department, on behalf of the Department of Technology, to establish a purchase order with Brown Enterprise Solutions, LLC, utilizing State Master Cloud Service Agreement - MCSA0016 for the procurement of various Adobe software application products through a Large Government Agency agreement (LGA) for the Department of Technology and various other city agencies; to waive the competitive bidding provisions of City code; and to authorize the expenditure of \$229,438.22 for the above-described purpose. (\$229,438.22)

WHEREAS, various city agencies utilize Adobe products in their daily operations; and

WHEREAS, the current Adobe contract expires on March 29, 2024; and

WHEREAS, only two (2) bids were received in response to a Department of Technology solicitation for various Adobe products; and

WHEREAS, it is necessary to authorize the Director of the Department of Finance and Management, on behalf of the Department of Technology (DoT), to establish a purchase order with Brown Enterprise Solutions, LLC, utilizing the State Master Cloud Service Agreement -- MCSA0016, to procure various Adobe software applications products through a Large Government Agency Agreement (LGA); and

WHEREAS, it is also necessary to authorize the expenditure of \$229,438.22 for the purchase of the above-described Adobe products; and

WHEREAS, it has become necessary to authorize the Director of the Finance and Management Department, on behalf of the Department of Technology, to establish a purchase order with Brown Enterprise Solutions, LLC, utilizing State Master Cloud Service Agreement - MCSA0016, to procure various Adobe software applications products at a cost of \$229,438.22, thereby preserving the public health, peace, property, safety, and welfare; **NOW, THEREFORE:**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance and Management Director be and is hereby authorized to establish a purchase order with Brown Enterprise Solutions, LLC, utilizing State Master Cloud Service Agreement - MCSA0016 for the procurement of various Adobe software application products through a Large Government Agency Agreement (LGA) for the Department of Technology and various other city agencies at a cost of \$229,438.22, for a term of one year, beginning on March 30, 2024 through March 29, 2025.

SECTION 2. That the expenditure of \$229,438.22, or so much thereof as may be necessary, is hereby authorized as provided on the attachment of this ordinance. (see attachment 3135-2023 EXP).

SECTION 3. That the City Auditor is authorized to make any accounting changes to revise the funding source for all

contracts or contract modifications associated with this ordinance.

SECTION 4. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

SECTION 5. That the relevant sections of Section 329 of the Columbus City Code relating to competitive bidding are hereby waived.

SECTION 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.