



Legislation Details (With Text)

File #: 1467-2010 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 10/4/2010 **In control:** Administration Committee

On agenda: 11/8/2010 **Final action:** 11/10/2010

Title: To authorize the Director of the Department of Technology, on behalf of the Public Service Department, Division of Planning and Operations, to modify an annual agreement with Environmental Systems Research Institute, Inc. (ESRI) for annual software maintenance and support services in accordance with the sole source procurement provisions of the Columbus City Codes; and to authorize the expenditure of \$1,556.20 from the Department of Technology Internal Service Fund; and to declare an emergency. (\$1,556.20)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ESRI 2010 SoleSourceLtr.pdf, 2. ESRI_QUOTATION_25431513.pdf, 3. ESRI 2010 SoleSourceForm.pdf

| Date | Ver. | Action By | Action | Result |
|------------|------|-------------------------------|------------------------------------|--------|
| 11/10/2010 | 1 | CITY CLERK | Attest | |
| 11/9/2010 | 1 | MAYOR | Signed | |
| 11/8/2010 | 1 | Columbus City Council | Approved | Pass |
| 11/8/2010 | 1 | COUNCIL PRESIDENT | Signed | |
| 10/22/2010 | 1 | Finance - Purchasing Reviewer | Reviewed and Approved | |
| 10/22/2010 | 1 | FINANCE DIRECTOR | Reviewed and Approved | |
| 10/22/2010 | 1 | Technology Drafter | Sent for Approval | |
| 10/22/2010 | 1 | Auditor Reviewer | Reviewed and Approved | |
| 10/22/2010 | 1 | CITY AUDITOR | Reviewed and Approved | |
| 10/22/2010 | 1 | Technology Drafter | Sent for Approval | |
| 10/22/2010 | 1 | CITY ATTORNEY | Reviewed and Approved | |
| 10/22/2010 | 1 | Technology Drafter | Sent to Clerk's Office for Council | |
| 10/20/2010 | 1 | Finance Reviewer | Reviewed and Approved | |
| 10/20/2010 | 1 | Finance Reviewer | Reviewed and Approved | |
| 10/20/2010 | 1 | Finance Reviewer | Sent for Approval | |
| 10/19/2010 | 1 | ODI DIRECTOR | Reviewed and Approved | |
| 10/19/2010 | 1 | Technology Drafter | Sent for Approval | |
| 10/16/2010 | 1 | EBOCO Reviewer | Sent for Approval | |
| 10/15/2010 | 1 | TECHNOLOGY DIRECTOR | Reviewed and Approved | |
| 10/15/2010 | 1 | Technology Drafter | Sent for Approval | |

BACKGROUND:

This legislation authorizes the Director of the Department of Technology (DoT), on behalf of the Public Service Department, Division of Planning and Operations, to modify an existing agreement with Environmental Systems Research Institute, Inc. (ESRI), for upgrades and support services associated with the city's geographic information system (GIS). The modification will incorporate six (6) concurrent use licenses for ESRI ArcEditor software, originally purchased on behalf of the City by Interfleet, Inc., as part of the joint City-County COMBAT project, authorized by Ordinance 0505-2007 and paid through Purchase Order EL007817 (payment to Franklin County Engineer for City's share of COMBAT project cost). Using City funds provided as part of the COMBAT project, the Franklin County Engineer paid the COMBAT vendor, Interfleet, Inc., to purchase ArcEditor licenses on behalf of the City as authorized through Franklin County Purchase Order 95401147. When Interfleet, Inc. purchased the licenses, license ownership was recorded with the City, as acknowledged in ESRI Quotation 20357511, ESRI Invoice 92099802, and reflected in ESRI records for customer account 122122 (the City of Columbus ESRI account number). First-year software support was included with the license purchase, which is set to expire on January 31, 2011. The contract modification will extend this support to April 14, 2011 consistent with the coverage period for other software licenses on the same maintenance and support agreement. The amount of funds needed for the modification of this annual maintenance and support agreement is \$1,556.20. This ordinance also requests approval to continue services provided by ESRI in accordance with sole source procurement provisions of Section 329 of the Columbus City Code; as it has been determined ESRI is the sole distributor of ArcEditor, and does not utilize distributors or resellers to provide maintenance and support for its GIS software products.

The City of Columbus, Department of Technology entered into a support services contract, associated with EL003467, provided by ESRI, as authorized by Columbus City Council (Ordinance No. 0976-02) in July 2002. The original agreement provided language that allowed for renewals, mutually agreed by all parties, at the end of each contract anniversary date. On March 29, 2010 Council approved and passed ordinance #0144-2010 that authorized the Director of the Department of Technology to renew an existing agreement with ESRI in the amount of \$88,154.95 for annual maintenance and support services in accordance with the sole source procurement provisions of the Columbus City Codes. The ordinance specified a coverage period from April 15, 2010 through April 14, 2011. If passed, this ordinance will allow the DoT, in mutual agreement with ESRI, to add six (6) ArcEditor licenses to the existing support agreement at a cost of \$1,556.20 with a coverage period of February 1, 2011 through April 14, 2011.

FISCAL IMPACT:

During the past two years (2008 and 2009), the Department of Technology expended \$73,194.92 (Ord. # 0440-2008) and \$81,724.96 (Ord. # 0606-2009) respectively with Environmental Systems Research Institute, Inc. (ESRI) for the renewal of annual software maintenance and support services. Earlier this year, the Department of Technology expended \$88,154.95 (Ord. # 0144-2010) for the aforementioned services provided by ESRI. Sufficient funds are available in the Information Services Fund to modify the ESRI contract to include support for the six (6) ArcEditor licenses and cover the time period February 1, 2011 through April 14, 2011.

EMERGENCY DESIGNATION:

Emergency legislation is requested in order to facilitate this purchase to provide more efficient and capable support to various city departments/divisions.

CONTRACT COMPLIANCE:

Vendor: Environmental Systems Research Institute, Inc. (ESRI) F.I.D./CC#: 95-2775732 Expiration Date: 08/06/2012

To authorize the Director of the Department of Technology, on behalf of the Public Service Department, Division of Planning and Operations, to modify an annual agreement with Environmental Systems Research Institute, Inc. (ESRI) for annual software maintenance and support services in accordance with the sole source procurement provisions of the Columbus City Codes; and to authorize the expenditure of \$1,556.20 from the Department of Technology Internal Service Fund; and to declare an emergency. (\$1,556.20)

WHEREAS, the Director of the Department of Technology, on behalf of the Public Service Department, Division of Planning and Operations, has an immediate need to modify an annual agreement for software maintenance and support with Environmental Systems Research Institute, Inc. (ESRI), for upgrades and support services associated with the city's geographic information system (GIS); and

WHEREAS, this modification will incorporate support for six (6) software licenses set to expire on January 31, 2011 used in the COMBAT (Central Ohio Management Based Applied Technology) system, enabling the city's street maintenance and snow warriors

to deliver more efficient and effective services; and

WHEREAS, the passage of this ordinance will allow DoT to continue with the needed services with a coverage period from February 1, 2011 through April 14, 2011 in the amount of \$1,556.20; and

WHEREAS, this modified agreement is being established in accordance with the sole source provisions of the Columbus City Code, Section 329.07; and

WHEREAS, an emergency exists in the usual and daily operation of the Department of Technology in that it is immediately necessary to modify an agreement with Environmental Systems Research Institute, Inc. (ESRI) for the extension of an annual software support and maintenance service agreement, that supports daily operational needs 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 Director of the Department of Technology, on behalf of the Public Service Department, Division of Planning and Operations, be and is hereby authorized to modify an annual software maintenance and support agreement with Environmental Systems Research Institute, Inc. which supports the GIS system. This modification extends the coverage period for six (6) software licenses from February 1, 2011 through April 14, 2011, in the amount of \$1,556.20.

SECTION 2: That the expenditure of \$1,556.20 or so much thereof as may be necessary is hereby authorized to be expended from:

Div.: 47-01|**Fund:** 514|**Subfund:** 265|**OCA Code:** 514265|**Obj. Level 1:** 03|**Obj. Level 3:** 3369|**Amount:** \$1,556.20

SECTION 3: That the City Auditor is authorized to make any changes to revise the funding source for any contract or contract modifications associated with this ordinance.

SECTION 4: That this modified agreement is being established in accordance with the sole source provisions of the Columbus City Code, Section 329.07.

SECTION 5: That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.