City of Columbus

Legislation Details (With Text)

File #:	1223-2010	**Version:** 1		
Type:	Ordinance		**Status:**	Passed
File created:	8/25/2010		**In control:**	Administration Committee
On agenda:	10/18/2010		**Final action:**	10/20/2010

Title: To authorize the Director of the Department of Technology, on behalf of the City of Columbus as a preferred beneficiary to enter into a contract with Iron Mountain Intellectual Property Management, Inc. for escrow services to house the Lawson Software code associated with the CHRIS project; to authorize the payment of $2,100.00 for past due, current, and upcoming expenditures from the Department of Technology Information Services Fund; to waive the competitive bidding provisions of the Columbus City Codes; and to declare an emergency. ($2,100.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Bidwaiver Ord # 1223-2010.pdf

Date	Ver.	Action By	Action	Result
10/20/2010	1	CITY CLERK	Attest	
10/19/2010	1	MAYOR	Signed	
10/18/2010	1	Columbus City Council	Approved	Pass
10/18/2010	1	COUNCIL PRESIDENT	Signed	
9/30/2010	1	Technology Drafter	Sent to Clerk's Office for Council	
9/29/2010	1	Technology Drafter	Sent for Approval	
9/29/2010	1	Auditor Reviewer	Reviewed and Approved	
9/29/2010	1	CITY AUDITOR	Reviewed and Approved	
9/29/2010	1	Technology Drafter	Sent for Approval	
9/29/2010	1	CITY ATTORNEY	Reviewed and Approved	
9/28/2010	1	FINANCE DIRECTOR	Reviewed and Approved	
9/27/2010	1	Finance Reviewer	Reviewed and Approved	
9/27/2010	1	Finance Reviewer	Sent for Approval	
9/27/2010	1	FINANCE-PURCHASING APPROVER	Reviewed and Approved	
9/23/2010	1	ODI DIRECTOR	Reviewed and Approved	
9/23/2010	1	Technology Drafter	Sent for Approval	
9/22/2010	1	EBOCO Reviewer	Sent for Approval	
9/21/2010	1	Technology Drafter	Sent for Approval	
9/20/2010	1	TECHNOLOGY DIRECTOR	Reviewed and Approved	
9/16/2010	1	Technology Drafter	Sent for Approval	

BACKGROUND:

This legislation authorizes the Director of the Department of Technology on behalf of the City of Columbus to enter into a contract with Iron Mountain Intellectual Property Management, Inc. for escrow services. This ordinance will provide for payment and authorize the City Auditor to certify funds established in order to pay for past due, current, and upcoming invoices in the amount of $2,100.00 for escrow services to house the Lawson Software code for the CHRIS Project. The coverage period for the past due invoices of $1,400.00 is from December 10, 2008 to November 26, 2010. The coverage period for the upcoming expenses of $700.00 is from November 27, 2010 to November 26, 2011.

Under the original contract with Lawson Software, Inc. (Ord.1799-2007), Iron Mountain Intellectual Property Management, Inc. was identified as the vendor of choice for escrow services and the City of Columbus was identified as the preferred beneficiary for these services. Lawson Software, Inc. originally (for the first year) agreed to pay the entire cost inclusive of the City's share, however for the second year and thereafter it was mutually agreed by all parties legal counsel that the City of Columbus would need to establish a contract directly with Iron Mountain Intellectual Property Management, Inc. to pay for the City's portion of the escrow services. This contract establishes an escrow account directly with Iron Mountain Intellectual Property Management, Inc. to provide for the retention, administration and controlled access of the proprietary technology materials of Lawson Software, Inc. (Depositor)code utilized for the CHRIS project.

This ordinance requests approval to continue services provided by Iron Mountain Intellectual Property Management, Inc., and to waive the competitive bidding provisions of the Columbus City Codes (Section 329). The bid waiver will allow the City to continue the escrow services in housing the Lawson Software code associated with the CHRIS Project, directly with Iron Mountain Intellectual Property Management, Inc.

EMERGENCY DESIGNATION:

Emergency designation is requested to immediately facilitate prompt payment and to avoid interruption in the performance of services in the usual daily operation.

FISCAL IMPACT:

The total cost associated with this contract between the City of Columbus, Department of Technology and Iron Mountain Intellectual Property Management, Inc., for the escrow services of housing the Lawson Software code associated with the CHRIS Project; to pay past due, current, and upcoming invoices is $2,100.00. The coverage period for the past due invoices amount of $1,400.00 is from December 10, 2008 to November 26, 2010. The coverage period for the upcoming expenses of $700.00 is from November 27, 2010 to November 26, 2011. Funds to cover this cost are available within the department's 2010 budget.

CONTRACT COMPLIANCE:

Vendor Name: Iron Mountain Intellectual Property Management, Inc. :

F.I.D/CC#: 04-3038590   Expiration Date: 2/19/2011

To authorize the Director of the Department of Technology, on behalf of the City of Columbus as a preferred beneficiary to enter into a contract with Iron Mountain Intellectual Property Management, Inc. for escrow services to house the Lawson Software code associated with the CHRIS project; to authorize the payment of $2,100.00 for past due, current, and upcoming expenditures from the Department of Technology Information Services Fund; to waive the competitive bidding provisions of the Columbus City Codes; and to declare an emergency. ($2,100.00)

WHEREAS, the Department of Technology on behalf of the City of Columbus as a preferred beneficiary has a need to enter into a contract with Iron Mountain Intellectual Property Management, Inc. for escrow services in housing the Lawson Software code

associated with the CHRIS Project, and

WHEREAS, this ordinance will provide for payment and authorize the City Auditor to certify funds established in order to pay for past due, current, and upcoming invoices in the amount of $2,100.00 for the coverage period December 10, 2008 to November 26, 2011, and

WHEREAS, under the original contract with Lawson Software, Inc. (Ord.1799-2007, passed by Columbus City Council on November 26, 2007), it was identified that the named vendor of choice for the escrow services associated with the Lawson Software code for the CHRIS project, would be Iron Mountain Intellectual Property Management, Inc., and

WHEREAS, it has now been mutually agreed upon by all parties legal counsel that the City of Columbus would need to establish a contract directly with Iron Mountain Intellectual Property Management, Inc. to pay for the City's portion of the escrow services, and

WHEREAS, this ordinance requests waiving of the competitive bidding requirement of the Columbus City Codes Section 329 to allow the Department of Technology to continue the necessary escrow services, and

WHEREAS, that an emergency exists within the Department of Technology, as there is an immediate need to enter into contract with Iron Mountain Intellectual Property, Inc. for escrow services to house the Lawson Software code for the CHRIS Project and to pay for past due, current, and upcoming expenses associated with this service on behalf of the City Columbus, 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 is hereby authorized to enter into a contract with Iron Mountain Intellectual Property Management, Inc., and the City Auditor is authorized to certify funds to pay for past due, current, and upcoming expenses for escrow services in housing the Lawson Software code utilized with the CHRIS project, in the amount of $2,100.00. The coverage period for the past due invoices amount of $1,400.00 is from December 10, 2008 to November 26, 2010. The coverage period for the upcoming expenses of $700.00 is from November 27, 2010 to November 26, 2011.

SECTION 2: That the expenditure of $2,100.00 or so much thereof as may be necessary is hereby authorized to be expended from:

Div.: 47-02|**Fund:** 514|**Subfund:** 001|**OCA Code:** 470202|**Obj. Level 1:** 03|**Obj. Level 3:** 3369|**Amount:** $1,400.00| (December 10, 2008 to November 26, 2010)

Div.: 47-02|**Fund:** 514|**Subfund:** 001|**OCA Code:** 470202|**Obj. Level 1:** 03|**Obj. Level 3:** 3369|**Amount:** $ 700.00| (November 27, 2010 to November 26, 2011)

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 in accordance with Section 329.27 of the Columbus City Codes, City Council finds it to be in the best interest of the City of Columbus that the competitive bidding requirements be and are hereby waived.

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.