



Legislation Text

File #: 1379-2012, **Version:** 1

BACKGROUND: This ordinance is for the option to purchase McAfee Software and Support. This contract will be used by the Department of Technology to supply McAfee multi-purpose security products for all City agencies. The term of the proposed option contract would be approximately three (3) years, with the option to extend the contract for one (1) additional one-year period if mutually agreed upon. The Contract is through June 30, 2015. The Purchasing Office opened formal bids on April 19, 2012.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06, Solicitation SA004325. Three-hundred ninety-two (392) bids were solicited (MBR: 9; F1: 8). Four (4) bids were received.

All four bids submitted were deemed non-responsive. Two of the bidders were rejected because they did not have the required reseller relationship with McAfee in order to provide the entire McAfee product line. Another bidder was rejected because they were unable to provide fixed discounts for the categories of items the City may purchase from. The fourth bidder, SHI International, was rejected because they provided exceptions to the City's Standard Terms and Conditions. However, because SHI is an authorized McAfee reseller and provided defined pricing with their bid, the Purchasing Office informally reconsidered their bid. After consultation with the City Attorney, the Purchasing Office entered into negotiations with the bidder. These negotiations resulted in an acceptable agreement. A contract will now be established with SHI International, Inc. as the lowest and best bid.

The Purchasing Office is recommending award of the contract to the lowest and best bidder:

SHI International Corp., CC#223009648 (Expires November 16, 2013); All Items, \$1.00
Total Estimated Annual Expenditure: \$75,000.00

This company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Mail, Print Services and UTC Fund. The various City Agencies will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

To authorize the Finance and Management Director to enter into a UTC contract for the option to purchase McAfee Software and Support with SHI International Corp.; to authorize the expenditure of one (1) dollar to establish the contracts from the Mail, Print Services and UTC Fund; to waive the competitive bidding provisions of the Columbus City Codes; and to declare an emergency. (\$1.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on April 19, 2012 and selected the lowest,

responsive, responsible and best bids; and

WHEREAS, all bids were deemed non-responsive and the City obtained necessary information from the low bidder after considering all proposals on an informal basis, and

WHEREAS, this ordinance addresses Purchasing objective of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, the McAfee Software and Support UTC will be used as a multi purpose security product by the Department of Technology to protect the City's computers and technology hardware environment, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to enter into one (1) contract for an option to purchase the McAfee Software and Support to ensure the uninterrupted supply of materials and services, 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 & Management Director be and is hereby authorized to enter into the following contract for the option to purchase McAfee Software and Services for the term ending June 30, 2015, with the option to extend the contracts for one (1) additional one-year period if mutually agreed upon, in accordance with Solicitation No. SA004325 as follows:

SHI International Corp., All items, Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from the Mail, Print Services and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

SECTION 3. That in accordance with Section 329.27 of the Columbus City Code, this Council finds that it is in the best interest of the City to waive and does hereby waive Section 329.06 (Formal Competitive Bidding) of the Columbus City Codes.

SECTION 4. That for the reason stated in the preamble here to, 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.