



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 1887-2008, Version: 1

1. BACKGROUND:

This legislation authorizes the Auditor's Office to accept name and Federal Identification number changes of Tier Technologies, Inc., and the assignment of all their present and future contracts with the City of Columbus to Cogsdale, Inc. These actions are a result of acquisition by Cogsdale, Inc. of Tier Technologies: System License Agreement, Performance Series 2.0 Implementation Services Contract, WebProcure Subscription Agreement, Extended Warranty and Support Services Agreement ("Contracts") to Cogsdale Holdings, Ltd. ("Cogsdale") on December 1, 2008. The Department currently has several agreements with Tier Technologies, Inc. Cogsdale, Inc. will continue to provide the required services in accordance with the existing contract terms and provisions.

Fiscal Impact

This legislation will not alter the balances of any of the existing contracts covered by this assignment.

Emergency Justification

The Auditor's Office is requesting City Council to declare this ordinance an emergency measure in order to allow the existing contracts to be assigned to Cogsdale, Inc. vendor Federal Employee Identification Number 98-0602340, which is necessary for the subject services to continue without interruption, and to allow financial transactions to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management.

To authorize and direct the City Auditor to modify present and future contracts with Tier Technologies, Inc. to reflect a name and Federal Identification Number change to Cogsdale, Inc. as a result of their acquisition, and to authorize the assignment of all existing obligations to the City of Columbus by Tier Technologies, Inc., to Cogsdale, Inc. and to declare an emergency. (\$0.00)

WHEREAS, the City Auditor, has entered into multiple contracts with Tier Technologies, Inc. in connection with numerous agreements; and

WHEREAS, it is necessary to alter existing Tier Technologies, Inc. contracts to reflect a name to Cogsdale, Inc. and Federal Identification Number change to 98-0602340, as a result of their acquisition effective December 1, 2008; and

WHEREAS, Cogsdale, Inc. has informed the City Auditor of its intentions to fulfill the contractual obligations of Tier Technologies Inc.; and

WHEREAS, an emergency exists in the usual daily operation of the City Auditor that it is immediately required for this Council to authorize the City Auditor to assign the aforementioned contractual obligations of Tier Technologies, Inc. to Cogsdale, Inc.; so as to avoid any interruption in the performance of services that are necessary to ensure the continued operation of the City Auditor; for the preservation of the public health, peace, safety, and welfare; **now, therefore**,

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

Section 1. That the City Auditor is hereby authorized and directed to modify present and future contracts to reflect the change of company names and Federal Identification Numbers from Tier Technologies, Inc. to Cogsdale, Inc.

Section 2. That the City Auditor is hereby authorized to assign Cogsdale, Inc. all existing contractual obligations between the City of Columbus and Tier Technologies, Inc. Including System License Agreement, Performance Series 2.0 Implementation Services Contract, WebProcure Subscription Agreement, Extended Warranty and Support Services Agreement ("Contracts") in accordance with Cogsdale, Inc. acquisition of Tier Technologies, Inc. product line mentioned previously.

Section 3. 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.