



## Legislation Text

**File #:** 1259-2009, **Version:** 1

**Background:** This legislation authorizes the Director of Finance and Management, on behalf of the Department of Technology, to create a purchase order with IBM Corporation, a vendor selected from a State of Ohio - State Contracts (STS-033, #533276-2 expiration 9/30/2012), for licenses, software, maintenance, support and other associated services, per the terms and conditions of the State Term Contract. Also, this ordinance will allow the Department of Technology to continue with annual future maintenance and support (associated with the license purchase) contingent upon approval of both parties, funding, and a certified purchase order.

This acquisition will allow the Department of Technology the ability to link business process and IT activity to capture, prioritize, monitor and track projects and related activities; link project activities with related assets for project team update; simplify and automate changes and updates related to business process and or projects; increase productivity; allow for the use of web-based tools; track and report impact of any changes to documented projects; provide project documentation, activity measurement and dashboard indicators and gauges that will point out potential bottlenecks and align resources; offers web-based training; automates and simplifies change management; combine data and information; identify risks; will flag the project manager when change has occurred to a high priority project; along with many other features and communication components.

There is a need to have the licenses installed in November 2009, as they are needed to help track, monitor and produce reports related to time lines and milestones directly related to technology projects. The installation process will begin upon approval and passage of this ordinance and associated certified purchase order; and the support and first year license usage will continue for twelve months after the approval of the associated purchase order.

In 2008, ordinance #0746-2008, in the amount of \$44,746.00 approved the purchase of a software bundle that consisted of software license, maintenance, support and other associated services, from IBM Corporation. Since this acquisition, there was a re-assessment of the technology needs and requirements in addition to IBM changes to the IBM solution bundling that affected the purchased software bundle. In order to synchronize the current needs of the City and maximize the value of the IBM bundle, along with allowing for an expansion of functionality and user base within the bundled software, both IBM and the City reviewed the situation. Both parties developed a road map for achieving better quality and efficiency to meet the needs and requirements of the City, by upgrading the original purchase. To facilitate the current upgrade, a credit on the original purchase will be applied to the purchase of the upgrade solution. This purchase allows the Department of Technology in the best interest of the city to leverage the previous purchase and meet current needs and requirements. The current software bundle cost is \$226,580.56 less the original purchase credit of \$44,746.00 brings the associated upgrade cost to \$181,834.56.

Due to the immediate need to install software and to allow for the associated training, maintenance/support, and to facilitate meeting deadlines and timelines, this legislation request approval to waive the competitive bid process, waiver of Columbus City Code Section 329. Waiving the bid process will allow the Department of Technology to make the necessary purchase from a State Term Contract, for City use, and purchase two software licenses (IBM Rational SoDA Floating License and IBM Rational Quality Manager Express Edition 3) from IBM Corporation, which are currently in process of being added to the State Term Schedule. These two software licenses are necessary components that will work in conjunction with other licenses that are listed within the State Term Schedule (STS-033 #533276-2 expiration date 9/30/2012) and will be acquired upon approval of this ordinance. IBM Corporation is extending the government pricing that will be listed within the State Term schedule for the two software licenses (IBM Rational SoDA Floating License and IBM Rational Quality Manager Express Edition 3).

This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery certified search.

**Fiscal Impact:** In 2008, the Department of Technology expended through the passage of ordinance #0746-2008 the amount of \$44,746.00 for software license, maintenance, support and other associated services with IBM Corporation. This purchase cost of \$226,580.56 will be reduced by a \$44,746.00 credit bringing the total acquisition cost to be \$181,834.56. This amount of \$181,834.56, is for an upgrade consisting of software licenses, training, maintenance and support, and other related services with IBM Corporation. Funding was identified with the within the 2009 budget for the Department of Technology's Information Services Fund.

**Emergency:** Emergency legislation is required to meet time lines and milestones associated with installation and utilization of this acquisition with projects already in progress.

**Contract Compliance:** 130871985 Expiration Date: 04/30/2010 - PHC

To authorize the Director of Finance and Management, on behalf of the Department of Technology, to establish a purchase order with IBM Corporation for the acquisition of software licenses, support and maintenance, training, and other associated services from a State Contract; to waive the provisions of competitive bidding of the Columbus City Codes; to authorize the expenditure of \$181,834.56 from the Information Services Fund; and to declare an emergency. (\$181,834.56)

**WHEREAS**, this legislation authorizes the Director of Finance and Management, on behalf of the Department of Technology, to create a purchase order with IBM Corporation, a vendor selected from a State of Ohio - State Contracts (STS-033, #533276-2 expiration 9/30/2010), for user software licenses, maintenance and support, and training per the terms and conditions of the State Term Contract and will allow the Department of Technology to continue with annual future maintenance and support (associated with the licenses), contingent upon approval of both parties, funding and a certified purchase order; and

**WHEREAS**, the user licenses will provide the Department of Technology the ability to link business process and IT activity by allowing the Department to capture, prioritize, monitor and track projects and related activities; link project activities with related assets for project team update; simplify and automate changes and updates related to business process and or projects; and

**WHEREAS**, allow for the use of web-based tools; track and report impact of any changes to documented projects; provide project documentation, activity measurement and dashboard indicators and gauges; offers web-based training; combine data and information; identify risks; will flag the project manager when change has occurred to a high priority project; along with many other features and communication components; and

**WHEREAS**, also, these licenses need installed by November 2009, as they are needed to help track, monitor and produce reports related to various technology projects already in progress; and

**WHEREAS**, this legislation request approval to waive the competitive bid process, waiver of Columbus City Code Section 329, and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Technology in that it is necessary for the Finance and Management Director on behalf of the Department of Technology to establish a purchase order with IBM Corporation, for software licenses, training, maintenance and support, and other related services to meet time lines and milestones associated with installation and utilization of this acquisition with projects already in progress; 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 Finance and Management, on behalf of the Department of Technology, is authorized to create a purchase order with IBM Corporation for software licenses, training, maintenance and support (for twelve months commencing upon approval of a certified purchase order), and other related services per the terms of conditions established within the State of Ohio - State Contract (STS-033, #533276-2 expiration 9/30/2010); in the amount of \$181,834.56 which is the net of a total purchase cost of \$226,580.56 less a \$44,746.00 credit IBM will apply from the purchase approved by ordinance #0746-2008.

**SECTION 2:** That the expenditure of \$181,834.56 or so much thereof as may be necessary is hereby authorized to be expended from:

**Div.:** 47-02|**Fund:** 514|**SubFund:** 001|**OCA Code:** 280735|**Obj. Level 1:** 03|**Obj. Level 3:** 3331|**Amount:** \$21,980.00

**Div.:** 47-02|**Fund:** 514|**SubFund:** 001|**OCA Code:** 470202|**Obj. Level 1:** 03|**Obj. Level 3:** 3358|**Amount:** \$85,142.45

**Div.:** 47-02|**Fund:** 514|**SubFund:** 001|**OCA Code:** 470202|**Obj. Level 1:** 03|**Obj. Level 3:** 3369|**Amount:** \$32,472.11

**Div.:** 47-02|**Fund:** 514|**SubFund:** 001|**OCA Code:** 470202|**Obj. Level 1:** 03|**Obj. Level 3:** 3336|**Amount:** \$42,240.00

**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 this ordinance request to waive the competitive bidding provisions of the Columbus City Codes (Section 329).

**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.