



## Legislation Details (With Text)

**File #:** 1806-2013      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 7/3/2013      **In control:** Technology Committee

**On agenda:** 9/9/2013      **Final action:** 9/13/2013

**Title:** To authorize the Director of the Department of Technology to enter into an agreement with RER Enterprises, Inc., dba Feeney Wireless, LLC for NetMotion software licenses, software support, and professional services to implement the NetMotion mobility solution; with the option to renew for two additional one year terms subject to mutual agreement and approval of proper city authorities; and to authorize the expenditure of \$66,721.50 from the Department of Technology, Internal Services Fund and \$57,721.50 from the Division of Police, Law Enforcement Contraband Seizure fund; and to declare an emergency. (\$124,443.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. AwardLetter NetMotion 2013 (2), 2. Bid Tab SA004993

Date	Ver.	Action By	Action	Result
9/13/2013	1	CITY CLERK	Attest	
9/13/2013	1	MAYOR	Signed	
9/9/2013	1	COUNCIL PRESIDENT	Signed	
9/9/2013	1	Columbus City Council	Approved	Pass

**BACKGROUND:**

This ordinance authorizes the Director of the Department of Technology to enter into an agreement with RER Enterprises, Inc., dba Feeney Wireless LLC. This agreement will provide for the purchase of NetMotion software licenses, software support, and professional services to implement the NetMotion mobility solution. The City uses NetMotion software to enable mobile workers, including police officers and public utility field crews, to utilize computer applications over cellular communication networks. Without the NetMotion solution, these applications will not function when accessed over a cellular network, significantly diminishing the effectiveness and efficiency of City police officers and other mobile workers. The term of the agreement is for one year from the date of a certified purchase order, and entitles the City to deploy NetMotion software for up to 1,000 mobile workers. The agreement includes options to renew annual software support for two additional one year terms, subject to mutual agreement and approval of proper City authorities. The total cost for the first year of the agreement is \$124,443.00. (Professional Services-\$9,000.00, software licenses-81,443.00, and maintenance and support-\$34,000.00)

The Department of Technology is procuring this service through chapter 329.06 of Columbus City Code, pursuant to solicitation SA004993. Three responses to this solicitation were received by the bid opening date of June 20, 2013. RER Enterprises, Inc., dba Feeney Wireless is the lowest responsive, responsible and best bidder:

Feeney Wireless LLC	\$124,443.00
SHI International Corp	\$140,369.48
AT&T Mobility National Accounts LLC	\$121,312.50 (non-responsive)

Although AT&T Mobility offered a lower price than Feeney Wireless, their offer was contingent on the City

Purchasing Office signing a participating addendum to the Western States Contracting Alliance (WSCA) contract with AT&T. After review by the Purchasing Office, it was determined that the City would not be able to sign the WSCA contract without changes to some of its terms. Furthermore, their offer stated that: "Any changes to the AT&T WSCA Agreement ... may result in different pricing." As a result, the pricing offered by AT&T Mobility was not firm and fixed. Given the contingent offer, AT&T Mobility was deemed non-responsive.

**EMERGENCY:**

Emergency action is requested to expedite authorization of this contract in order to facilitate and maintain compliance with the software manufacturer's terms of use.

**FISCAL IMPACT:**

The total cost for the first year of the agreement is \$124,443.00. The funds associated with this agreement have been identified and are available within the Department of Technology Internal Services Fund (DPU) direct charge budget in the amount of \$66,721.50 and from the Division of Police, Law Enforcement Contraband Seizure fund (Div.#:30-03/fund #:219/subfd#:016) in the amount of \$57,721.50.

**CONTRACT COMPLIANCE:**

RER Enterprises, Inc. dba Feeney Wireless, LLC  
Expiration: 6/11/2015

CC# : 931302898

To authorize the Director of the Department of Technology to enter into an agreement with RER Enterprises, Inc., dba Feeney Wireless, LLC for NetMotion software licenses, software support, and professional services to implement the NetMotion mobility solution; with the option to renew for two additional one year terms subject to mutual agreement and approval of proper city authorities; and to authorize the expenditure of \$66,721.50 from the Department of Technology, Internal Services Fund and \$57,721.50 from the Division of Police, Law Enforcement Contraband Seizure fund; and to declare an emergency. (\$124,443.00)

**WHEREAS**, the City of Columbus determined that NetMotion software is necessary to enable mobile workers, including police officers and public utility field crews, to utilize computer applications over cellular communication networks. Without the NetMotion solution, these applications will not function when accessed over a cellular network, significantly diminishing the effectiveness and efficiency of City police officers and other mobile workers; and

**WHEREAS**, the Department of Technology is procuring this service through chapter 329.06 of Columbus City Code, pursuant to solicitation SA004993. Three responses to this solicitation were received by the bid opening date of June 20, 2013. Feeney Wireless is the lowest responsive, responsible and best bidder; and

**WHEREAS**, this legislation authorizes the Director of the Department of Technology, to enter into an agreement with RER Enterprises, Inc., dba Feeney Wireless, LLC for NetMotion software licenses (\$81,443.00), software support (\$34,000.00), and professional services (\$9,000.00) totaling \$124,443.00 to implement the NetMotion mobility solution; and

**WHEREAS**, the term of the agreement is for one year from the date of a certified purchase order, with the option to renew annual software support for two additional one year terms, subject to mutual agreement and approval of proper City authorities.

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Technology, in that it is immediately necessary to authorize the Director of the Department of Technology to enter into an agreement with RER Enterprises, Inc., dba Feeney Wireless LLC for the purchase of NetMotion software licenses, software support, and professional

services to implement the NetMotion mobility solution, for the immediate preservation of the public health, peace, property and safety.

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

**SECTION 1:** That the Director of the Department of Technology be and hereby is authorized to enter into an agreement with RER Enterprises, Inc., dba Feeney Wireless LLC for the purchase of NetMotion software licenses, software support, and professional services to implement the NetMotion mobility solution. The cost of the software licenses and associated support services is \$124,443.00. The term of the software maintenance and support will be for one year from the date of a certified purchase order, with the option to renew annual software support for two additional one year terms, subject to mutual agreement and approval of proper City authorities.

**SECTION 2:** That the expenditure of \$124,443.00 or so much thereof as may be necessary is hereby authorized to be expended from:

Professional Services: \$9,000.00

**Dept./Div. 47-01| Fund 514| Sub-fund: 550| |OCA Code: 514550| Obj. Level 1: 03| Obj. Level 3: 3336| Amount:**  
\$549.00| {DPU-Electricity}

**Dept./Div. 47-01| Fund 514| Sub-fund: 600| |OCA Code: 514600| Obj. Level 1: 03| Obj. Level 3: 3336| Amount:**  
\$3,492.00| {DPU-Water}

**Dept./Div. 47-01| Fund 514| Sub-fund: 650| |OCA Code: 514650| Obj. Level 1: 03| Obj. Level 3: 3336| Amount:**  
\$3,915.00| {DPU-Sewage & drains}

**Dept./Div. 47-01| Fund 514| Sub-fund: 675| |OCA Code: 514675| Obj. Level 1: 03| Obj. Level 3: 3336| Amount:**  
\$1,044.00| {DPU-Stormwater}

Software Licenses: \$81,443.00

**Dept./Div. 30-03| Fund 219| Sub-fund: 016| |OCA Code: 300988| Obj. Level 1: 03| Obj. Level 3: 3358| Amount:**  
\$40,721.50| {Police}

**Dept./Div. 47-01| Fund 514| Sub-fund: 550| |OCA Code: 514550| Obj. Level 1: 03| Obj. Level 3: 3358| Amount:**  
\$2,484.01| {DPU-Electricity}

**Dept./Div. 47-01| Fund 514| Sub-fund: 600| |OCA Code: 514600| Obj. Level 1: 03| Obj. Level 3: 3358| Amount:**  
\$15,799.95| {DPU-Water}

**Dept./Div. 47-01| Fund 514| Sub-fund: 650| |OCA Code: 514650| Obj. Level 1: 03| Obj. Level 3: 3358| Amount:**  
\$17,713.85| {DPU-Sewage & drains}

**Dept./Div. 47-01| Fund 514| Sub-fund: 675| |OCA Code: 514675| Obj. Level 1: 03| Obj. Level 3: 3358| Amount:**  
\$4,723.69| {DPU-Stormwater}

Software Support: \$34,000.00

**Dept./Div. 30-03| Fund 219| Sub-fund: 016| |OCA Code: 300988| Obj. Level 1: 03| Obj. Level 3: 3369| Amount:**

\$17,000.00| {Police}

**Dept./Div. 47-01| Fund 514| Sub-fund: 550| |OCA Code: 514550| Obj. Level 1: 03| Obj. Level 3: 3369| Amount:**  
\$1,037.00| {DPU-Electricity}

**Dept./Div. 47-01| Fund 514| Sub-fund: 600| |OCA Code: 514600| Obj. Level 1: 03| Obj. Level 3: 3369| Amount:**  
\$6,595.00| {DPU-Water}

**Dept./Div. 47-01| Fund 514| Sub-fund: 650| |OCA Code: 514650| Obj. Level 1: 03| Obj. Level 3: 3369| Amount:**  
\$7,396.00| {DPU-Sewage & drains}

**Dept./Div. 47-01| Fund 514| Sub-fund: 675| |OCA Code: 514675| Obj. Level 1: 03| Obj. Level 3: 3369| Amount:**  
\$1,972.00| {DPU-Stormwater}

**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 the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**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 approved nor vetoes the same.