



## Legislation Details (With Text)

**File #:** 0881-2020      **Version:** 1

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

**File created:** 4/3/2020      **In control:** Technology Committee

**On agenda:** 4/20/2020      **Final action:** 4/23/2020

**Title:** To retroactively authorize the establishment of PO220797 by the Department of Finance and Management on behalf of the Department of Technology, in accordance with Mayor's Executive Order 2020-01, dated March 18th, 2020, with Software House International, utilizing State Master Cloud Service Agreement -- MCSA0016, to continue to receive maintenance and support on various Adobe software application products through a government Enterprise Term Licensing Agreement (ETLA); to authorize the expenditure of \$102,733.23 from the Department of Technology, Information Services Operating Fund, and to declare an emergency (\$102,733.23)

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. PO220797-1, 2. State of Ohio Adobe Intent to Renew Letter 2020, 3. 2020 SHI Quote-18559524, 4. 0881-2020EXP

Date	Ver.	Action By	Action	Result
4/23/2020	1	CITY CLERK	Attest	
4/22/2020	1	MAYOR	Signed	
4/20/2020	1	COUNCIL PRESIDENT	Signed	
4/20/2020	1	Columbus City Council	Approved	Pass

This ordinance retroactively authorizes the establishment of purchase order PO220797 with Software House International (SHI), utilizing State Master Cloud Service Agreement -- MCSA0016 for the procurement of various Adobe software application products through a government Enterprise Term Licensing Agreement (ETLA). This State Master Cloud Service Agreement expires on June 30, 2020 though the State has expressed its intent to extend the agreement through June 29, 2021.

The current contract for these services, via the above noted MCSA (and through reseller Brown Enterprise Solutions) expired on March 31, 2020. However, due to State of Ohio "stay-at home" requirements because of COVID-19, legislation could not be presented before City Council until late April at the earliest. Since this is past the expiration date, to keep these services intact, the above noted purchase order was created, under the auspices of the Mayor's Executive Order 2020-01, date March 18, 2020. Thus, the coverage term period for PO220797 is April 1, 2020 through March 31, 2021. Total authorized expenditure is \$102,733.23.

Adobe has historically focused upon the creation of multimedia and creativity software products, with a more recent emphasis towards digital marketing software. It is best known for its Photoshop image editing software, Acrobat and Acrobat Reader, the Portable Document Format (PDF), and Adobe Creative Suite as well as its successor Adobe Creative Cloud. Adobe software is used by City departments to improve efficiency and enhance communications.

SHI is not debarred according to the Excluded Parties listing of the Federal Government and is not listed in the Auditor of State's database of Findings for Recovery.

**FISCAL IMPACT:** The cost of this purchase is \$102,733.23. A portion of these products are being purchased for

customer departments. Funds are budgeted in the Department of Technology (DoT), Information Services Operating fund for purchases made on behalf of customer agencies as well as for DoT.

**EMERGENCY DESIGNATION:**

Emergency action is requested to initiate service from the contractor to avoid delay in services provided.

**CONTRACT COMPLIANCE:**

Vendor Name: SHI

DAX Vendor #: 001671

CC #: 223009648      Expiration Date: 10-2-2020

To retroactively authorize the establishment of PO220797 by the Department of Finance and Management on behalf of the Department of Technology, in accordance with Mayor's Executive Order 2020-01, dated March 18<sup>th</sup>, 2020, with Software House International, utilizing State Master Cloud Service Agreement -- MCSA0016, to continue to receive maintenance and support on various Adobe software application products through a government Enterprise Term Licensing Agreement (ETLA); to authorize the expenditure of \$102,733.23 from the Department of Technology, Information Services Operating Fund, and to declare an emergency (\$102,733.23)

**WHEREAS**, the City's current contract for maintenance and support of various Adobe products, through a reseller, expired on March 31, 2020; and

**WHEREAS**, these services are available, via Software House International, a reseller, from State Master Cloud Service Agreement -- MCSA0016, which expires on June 30, 2020 though the State has expressed its intent to extend the agreement through June 29, 2021; and

**WHEREAS**, due to State of Ohio "stay-at home" requirements because of COVID-19, legislation could not be presented before City Council until late April at the earliest, past the expiration date of the city's agreement with the current reseller; and

**WHEREAS**, to keep these services intact, purchase order PO220797 was created, under the auspices of the Mayor's Executive Order 2020-01, date March 18, 2020; and

**WHEREAS**, an emergency exists in the usual daily operations of the Department of Technology in that it is immediately necessary to retroactively authorize the establishment of PO220797, in accordance with Mayor's Executive Order 2020-01, dated March 18<sup>th</sup>, 2020, with Software House International, utilizing State Master Cloud Service Agreement -- MCSA0016, to continue to receive maintenance and support on various Adobe software application products through a government Enterprise Term Licensing Agreement (ETLA), thereby protecting the public health, peace, property, safety, and welfare; now, therefore:

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

**SECTION 1.** That, pursuant to the authority of Mayor's Executive Order 2020-01, dated March 18, 2020, the establishment of PO22079 by the Department of Finance and Management, on behalf of the Department of Technology, be retroactively authorized, authorizing entering into an agreement with Software House International via State Master Cloud Service Agreement -- MCSA0016, to continue to receive maintenance and support on various Adobe software application products through a government Enterprise Term Licensing Agreement for the period of April 1, 2020 through March 31, 2021 at a cost of \$102,733.23.

**SECTION 2.** That the expenditure of \$102,733.23, or so much thereof as may be necessary, is hereby authorized per the accounting codes in the attachment to this ordinance (see 0881-2020EXP)

**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 approves or vetoes the same