



Legislation Details (With Text)

File #: 0573-2023 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 2/13/2023 **In control:** Technology Committee

On agenda: 3/20/2023 **Final action:** 3/22/2023

Title: To authorize the Director of the Department of Technology to enter into contract with Brown Enterprise Solutions, LLC for the procurement of various Adobe software application products for the Department of Technology and various other city agencies; to waive relevant provisions of Columbus City Codes pertaining to competitive bidding; to authorize the expenditure of up to \$182,182.18 from the Information Services Operating Fund for the above-described purpose, and to declare an emergency. (\$182,182.18)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Brown Enterprises Q28978 Updated Quote, 2. Approved STS Request FormAdobeSSFApproval02_07_23, 3. 0573-2023 bid waiver form, 4. 0573-2023 EXP

Date	Ver.	Action By	Action	Result
3/22/2023	1	CITY CLERK	Attest	
3/21/2023	1	MAYOR	Signed	
3/20/2023	1	COUNCIL PRESIDENT	Signed	
3/20/2023	1	Columbus City Council	Approved	Pass

This ordinance authorizes the Director of the Department of Technology (DoT) to enter into contract with Brown Enterprise Solutions, LLC for the purchase of Adobe products. Various city departments depend upon Adobe products for enhanced efficiency and communications.

Adobe is best known for its Photoshop image editing software, Acrobat Reader and Acrobat, 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 while meeting various requirements such as HIPPA compliancy.

Pricing for the above-described services was obtained via the State Master Cloud Service Agreement -- MCSA0016. The two vendors approved to provide pricing through this vehicle are Software House International (SHI) and Brown Enterprise Solutions, LLC. Brown's pricing overall was lower than that submitted by SHI. As such, DoT recommends that the bid be awarded to Brown Enterprise Solutions, LLC for a total of \$182,182.18. Of this total, \$144,761.30 is for the continuation of 957 licenses. The balance of \$37,420.88 are contingency funds in the event additional licenses are needed.

The term of the contract will be for one year, from March 30, 2023 to March 29, 2024. This ordinance also authorizes the expenditure of up to \$182,182.18 for the above-described purpose. Finally, because only two (2) bids were received, the Department requests waiver of the relevant sections of Chapter 329 of Columbus City Codes pertaining to competitive bidding.

FISCAL IMPACT

Funding for this purchase is budgeted and available in the Department of Technology, Information Services Division, and

Information Service Operating Fund.

EMERGENCY DESIGNATION

The current contract expires on March 29, 2023. To ensure there is no interruption of service, emergency legislation is necessary. It is critical to have a contract in place as many city agencies use and depend on this product their daily operations.

CONTRACT COMPLIANCE

Vendor Name: Brown Enterprise Solutions, LLC, CC#: 90-0353698; Expiration Date: 12/31/2023; DAX Vendor Acct.: # 010668

To authorize the Director of the Department of Technology to enter into contract with Brown Enterprise Solutions, LLC for the procurement of various Adobe software application products for the Department of Technology and various other city agencies; to waive relevant provisions of Columbus City Codes pertaining to competitive bidding; to authorize the expenditure of up to \$182,182.18 from the Information Services Operating Fund for the above-described purpose, and to declare an emergency. (\$182,182.18)

WHEREAS, various city agencies utilize Adobe products in their daily operations; and

WHEREAS, the current Adobe contract expires on March 29, 2023; and

WHEREAS, only two (2) bids were received in response to a Department of Technology solicitation for various Adobe products; and

WHEREAS, it is necessary to authorize the Director of the Department of Technology to enter into contract with Brown Enterprise Solutions, LLC for the procurement of various Adobe software application products; and

WHEREAS, it is necessary to expend up to \$182,182.18 for the purchase of the above-described Adobe products; and

WHEREAS, the Department of Technology feels that it is in the City's best interest to waive the relevant sections of Chapter 329 of Columbus City Codes pertaining to competitive bidding; and

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 enter into contract with Brown Enterprise Solutions, LLC for procurement of various Adobe software application products at a cost of \$182,182.18 to avoid an interruption in access to the application given that the current contract expires on March 29, 2023, 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 the Department of Technology be and is hereby authorized to enter into contract with Brown Enterprise Solutions, LLC for the procurement of various Adobe software application products at a cost of up to \$182,182.18 for a term of one (1) year, beginning on March 30, 2023 through March 29, 2024.

SECTION 2. That the expenditure of up to \$182,182.18, or so much thereof as may be necessary, is hereby authorized as provided on the attachment to this ordinance. (See attachment 0573-2023EXP).

SECTION 3. That this Council finds that it is in the City's best interest to waive the competitive bidding provisions of Columbus City Code Chapter 329 and such provisions are hereby waived.

SECTION 4. 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 5. 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 6. 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.