



## Legislation Text

---

**File #: 0884-2018, Version: 1**

---

### **BACKGROUND:**

This legislation authorizes the Director of the Department of Technology (DoT) to enter into a contract with OARnet/OSU, a non-profit organization, for VMWare software licensing, maintenance, and support services. The original agreement (EL011737) was authorized by ordinance 1716-2010, passed December 13, 2010. The agreement was most recently renewed by authority of ordinance 0512-2017, passed March 27, 2017, through purchase order PO058614. This ordinance with OARnet will co-term all existing support agreement periods to April 1, 2019. The total cost associated with this ordinance is \$129,374.22 for the term period April 2, 2018 to April 1, 2019.

Through the State of Ohio Virtualization Program, authorized for the city's use by Ordinance No. 582-87, for VMware software licensing renewal, OARnet offers significant discounts on VMWare that are not available in the market place, so it is in the City's best interests to procure VMWare through OARnet, instead of through another procurement process. The pricing offered to the City reflects the agreed upon public sector discounts available to all participants in the State of Ohio Virtualization Program. The policy for anyone renewing software purchased under the Ohio State University VMware contract can only be renewed through OARnet. (See attached OARnet letter).

VMWare software is needed in order to operate virtual servers. Server virtualization has been adopted by the Department of Technology to reduce the costs of data systems, reduce power consumption and cooling requirements, and provide further capabilities for recovery and availability of information systems. The initial phase of the virtualization project was completed in 2009. The project is ongoing, and will allow the Department of Technology to further reduce costs of software licensing and hardware purchases, and realize power consumption savings.

### **EMERGENCY:**

Emergency action is requested to expedite authorization of this contract in order to facilitate and maintain uninterrupted services from the supplier.

### **FISCAL IMPACT: NEW**

In 2016 and 2017, the Department of Technology legislated with OARnet/OSU, \$65,919.45 and \$117,439.35, respectively for VMware software licenses, maintenance fees, and associated services. This 2018 Ordinance for \$129,374.22 is to cover the cost associated with new and existing VMWare software licensing, maintenance, and support services through April 1, 2019. Funds to cover these costs are budgeted and available within the Department of Technology, Information Services Division, Information Services Operating Fund.

### **CONTRACT COMPLIANCE:**

Vendor: OARnet/OSU, 1224 Kinnear Rd Ste. 130, Columbus, OH 43212; CC#/FID#: 31-6025986 (105); (DAX Vendor Acct. #: 005303), Non-Profit Organization (NPO)

To authorize the Director of the Department of Technology to enter into a contract with OARnet/OSU for new and existing VMWare software licensing, maintenance and support services; to authorize the expenditure of \$129,374.22 from the Department of Technology, Information Services Division, Information Services Operating Fund; and to declare an emergency. (\$129,374.22)

**WHEREAS**, this legislation authorizes the Director of the Department of Technology (DoT) to enter into a contract with OARnet/OSU a non-profit organization, for VMWare software licensing, maintenance, and support services for

\$129,374.22 for the term period of April 2, 2018 to April 1, 2019; and

**WHEREAS**, the use of the Ohio Department of Administrative Services Cooperative Contract is authorized for the city's use by Ordinance Number 582-87; and

**WHEREAS**, the policy for anyone renewing software purchased under the Ohio State University VMware contract can only be renewed through OARnet; and

**WHEREAS**, the original agreement (EL011737) was authorized by ordinance 1716-2010, passed December 13, 2010 and was most recently renewed by authority of ordinance 0512-2017, passed March 27, 2017, through purchase order PO058614; and

**WHEREAS**, through the State of Ohio Virtualization Program, OARnet offers significant discounts on VMWare that are not available in the market place. So it is in the City's best interests to procure VMWare through OARnet, instead of through another procurement process. The pricing offered the City reflects the agreed upon public sector discounts available to all participants in the State of Ohio Virtualization Program; and

**WHEREAS**, VMWare software is needed in order to operate virtual servers. Server virtualization has been adopted by the Department of Technology to reduce the costs of data systems, reduce power consumption and cooling requirements, and provide further capabilities for recovery and availability of information systems; and

**WHEREAS**, an emergency exists in the daily operation of the Department of Technology in that it is immediately necessary to authorize the Director to continue an agreement with OARnet/OSU for renewing existing and new VMWare software licensing, maintenance, and support for the preservation of 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 (DoT) be and is hereby authorized to enter into a contact with OARnet/OSU, a non-profit organization, for VMWare software licensing, maintenance, and support services through the State of Ohio Virtualization Program, authorized for the city's use by Ordinance No. 582-87, for renewal of existing and new VMWare software licensing, maintenance, and support services through April 1, 2019. The total cost associated with this ordinance is \$129,374.22, for the term period April 2, 2018 to April 1, 2019

**SECTION 2:** That the expenditure of \$129,374.22 or so much thereof as may be necessary is hereby authorized to be expended from: **(see attachment 0884-2018 EXP)**

**Dept.: 47 | Div. 47-02 | Obj Class: 03 | Main Account: 63946 | Fund: 5100 | Sub-fund: 510001 | Program: IT005 | Section 3: N/A | Section 4: N/A | Section 5: N/A | Amount: \$129,374.22 | {software licensing/ maintenance and support services}**

**SECTION 3:** That the City Auditor is authorized to make any changes to revise the funding source for any contract 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 nor vetoes the same.