File #: 2359-2020, **Version:** 1

This ordinance authorizes the Director of Finance and Management to establish a contract/purchase order with Dell Marketing L.P on behalf of the Department of Technology for Microsoft enterprise software licensing. This is being done through the State of Ohio Multiple Award Contract (MAC) 0A1252 which has an expiration date of 6/30/2025 and is authorized for the city's use by Ordinance No. 582-87 for Microsoft enterprise software licensing. Microsoft Office is the city's technology standard for desktop computing software, currently used by approximately 7500 city employees in their daily business. The city also utilizes Microsoft software to support a number of enterprise applications. This ordinance will enable the city to obtain the latest versions of Microsoft software utilizing a single agreement for the entire city.

The term of the initial proposed three-year agreement, authorized by ordinance 3310-2017 on December 11, 2017, commenced on January 1, 2018 and will on end on December 31, 2020. This ordinance authorizes the "true-up" for final year (2020) of the above-mentioned three-year agreement. The current year "true-up" costs are $148,004.86.

This ordinance also authorizes the appropriation of $148,004.86 within the Special Income Tax fund for this purpose. These funds are budgeted and available for this purpose.

1. Amount of additional funds to be expended

Original Contract #1 (2018): $1,419,640.64
Modification #1 (2018 "true-up"): $ 189,917.09
Original Contract #2 (2019): $1,402,360.64
Modification # 2 (2019 "true-up"): $ 479,454.02
Original Contract #3 (2020): $1,417,753.19
Modification # 3 (2020 "true-up"): $148,004.86
Total 3 years (including true-ups): $5,057,130.44

2. Reason additional goods/services could not be foreseen

This is the third year of a 3-year agreement. Additionally, the modification (2020 true-up) is needed to incorporate additional Microsoft licenses needed to support city departments' applications.

3. Reason other procurement processes are not used

To take advantage of the most favorable pricing available for Microsoft software, it is in the city's best interest to utilize the existing agreement with Dell Marketing L.P. instead of using other procurement methods.

4. How cost of modification was determined

The cost of the true-up for the additional software was negotiated.

FISCAL IMPACT:

Funds have been identified and are available in the Special Income Tax fund for the purpose described above.

CONTRACT COMPLIANCE:

Vendor Name: Dell Marketing LP
CC#: 74-2616805 (Expiration Date: 6/10/2021)
DAX Vendor Account # 010030

To appropriate $148,004.86 within the Special Income Tax fund; to authorize the Director of Finance and Management,

on behalf of the Department of Technology, to establish a contract/purchase order with Dell Marketing L.P., utilizing a State Term Schedule for the Microsoft enterprise software licensing "true up" cost associated with the 2020 agreement; to authorize the expenditure of $148,004.86 or so much thereof as may be necessary from the Special Income Tax Fund. ($148,004.86)

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 Director of Finance and Management is authorized to establish a contract/purchase order with Dell Marketing L.P. on behalf of the Department of Technology for the Microsoft enterprise software licensing "true-up" cost, associated with the 2020 agreement; and

WHEREAS, the cost of the 2020 "true-up" is $148,004.86; and

WHEREAS, the above noted total is being funded by moneys budgeted for this purpose in the Special Income Tax Fund; and

WHEREAS, an appropriation within the Special Income Tax fund is needed this expenditure; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Technology to appropriate funds to the Special Income Tax Fund and authorize the Director of the Finance and Management Department, on behalf of the Department of Technology, to establish a contract/purchase order with Dell Marketing L.P., from a State Term Schedule, for the Microsoft enterprise software licensing "true-up" cost, associated with the 2020 agreement, 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 sum of $148,004.86 be and hereby is appropriated from the unappropriated balance of Fund 4430, the Special Income Tax Fund, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2020 to Department 47, Division 4702, Department of Technology, Object Class: 03, Main Account: 63945, Fund 4430, Subfund 443001, and Program CW001. (See 2359-2020EXP)

SECTION 2. That the monies appropriated in Section 1 shall be paid upon order of the Technology Director and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 3. That the Director of Finance and Management, on behalf of the Department of Technology, is hereby authorized to establish a contract/purchase order with Dell Marketing L.P., through the State of Ohio Multiple Award Contract (MAC) 0A1252, with an expiration date of 6/30/2025, for the Microsoft enterprise software licensing "true-up" cost, associated with the 2020 agreement.

SECTION 4. That the expenditure of $148,004.86, or so much thereof as may be necessary, is hereby authorized to be expended as follows: (see attached file 2359-2020EXP):

Div.: 47-02 | **Fund:** 4430 | **SubFund:** 443001 | **Obj. Class.:** 03 | **Main Acct.:** 63945 | **Program:** CW001| **Section 3:** n/a | **Section 4:** n/a | **Section 5:** n/a | **Amount:** $148,004.86 |

SECTION 5. 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 6. 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.

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SECTION 7. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project.

SECTION 8: That this ordinance shall take effect and be in force from and after the earliest period allowed by law.