



Legislation Text

File #: 06030, **Version:** 1

Fiscal Note

Funds are available in the 2007 budget in Account No. GN01-54402-534100.
Funding for 2008 and future years shall be contained in the budgets for those years.

Title

Authorizing the Mayor and City Clerk to enter into a contract with Bentley Systems, Incorporated to provide software maintenance and support; and authorizing the Designee of Comptroller to enter into future contracts.

Body

WHEREAS, the Engineering Division uses several software programs provided by Bentley Systems, Incorporated; and

WHEREAS, Bentley Systems, Incorporated has provided software maintenance and upgrades, as well as technical support to the City under a "SELECT Program Agreement" executed in 1999, which has expired; and

WHEREAS, in order to maintain and utilize the necessary software programs, Engineering Division desires to renew the maintenance and software support contract with Bentley Systems, Incorporated and the city has been offered a contract with automatically renewing periods of two years with an annual cost of \$50,600; and said annual cost may increase due to the purchase of additional software; and

WHEREAS, Bentley Systems, Incorporated has also proposed a Professional Services master agreement so that the city may purchase additional services, such as training or customization, on an as-needed basis; and

WHEREAS, under MGO 4.26(3), council approval is required for service contracts of more than 3 years in duration; and

WHEREAS, under MGO 4.26(4)(b), council approval is also required if the total cost for services will exceed \$25,000 and a competitive bidding process was not used to select the vendor, and a competitive process will not be used to renew the maintenance and support contract with Bentley Systems, Incorporated; because Bentley Systems, Incorporated is the only vendor that can provide maintenance and upgrades as the owners of this software, and they are most skilled in supporting their own software, and have most recently provided the support services to the City under the 1999 contract, therefore meeting the criteria of 4.26(4)(a)2. and .7,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Clerk are authorized to sign an automatically-renewing contract with Bentley Systems, Incorporated for the above-described software maintenance and support services; and

BE IT FURTHER RESOLVED that staff the Mayor and City Clerk are authorized to sign a Professional Services Agreement with Bentley Systems, Incorporated for the purposes of establishing a master agreement to govern future work orders, if needed; and

BE IT FURTHER RESOLVED that any such future Orders under the Professional Services Agreement may be executed by the Designee of Comptroller as long as the funds are available in the budget.

BE IT FINALLY RESOLVED that all funding for the services provided by Bentley Systems, Incorporated under these contracts shall be clearly identified in the budget.