



## Legislation Text

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**File #:** 33183, **Version:** 1

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### **Fiscal Note**

Funding for the 2014 contract is included in the 2014 Information Technology Operating Budget. Funding for future years' contracts will be negotiated each year and requested the appropriate years' operating budgets.

### **Title**

Authorizing the Mayor and City Clerk to execute a service contract for software maintenance, on a recurring annual basis for the useful life of the software, for software support and maintenance services from Progress Software Corporation or their certified reseller.

### **Body**

WHEREAS, in 1994 the City chose Progress Software for use as the primary in-house software development tool and database through an RFP process; and

WHEREAS, the City operates more than 50 separate databases and applications based on the Progress Software OpenEdge platform; and

WHEREAS, the City has continued to contract for annual software maintenance and support since 1995; and

WHEREAS, support and maintenance services funding is provided for each year as part of the adopted Information Technology operating budget; and

WHEREAS, Progress Software Corporation is the owner of the proprietary software and controls who may provide support and maintenance services for the OpenEdge platform; and

WHEREAS, Progress Software Corporation facilitates the purchasing of their support and maintenance services through certified resellers; and

WHEREAS, under sec. 4.26(4)(b), of the Madison General Ordinances if the aggregate amount of the fee for services exceeds \$25,000 and the contract was not subject to a competitive bidding process, the contract shall meet one of the other requirements of sec. 4.26(4)(a) and be approved by the Common Council; and

WHEREAS, these services will cost approximately \$51,000 per year; and

WHEREAS, IT has solicited quotes and discussed the City's contracting requirements for the past two years with at least three authorized resellers of the Progress software and has identified Carahsoft Technology Corp as a vendor who is willing and able to comply with the City's contracting requirements; and

WHEREAS, this is a unique situation that does not clearly meet the exception for competitive selection as a "sole source" under MGO 4.26(4)(a)2., because although the services for the proprietary software would be a sole source if provided only by Progress Corporation, Progress has chosen to authorize more than one reseller; and

WHEREAS, MGO 4.26(4)(a)9. grants the council authority to approve a service contract over \$25,000 that was not competitively selected ("otherwise authorized by...resolution") and such authority is being sought here;

NOW, THEREFORE, be it resolved that the Mayor and City Clerk are authorized to execute a contract for

software support and maintenance services for Progress software with Carahsoft Technology Corp for 2014 maintenance, and future contracts on a recurring annual basis for the useful life of the software, with Carahsoft Technology Corp, another certified reseller, or Progress Software Corporation itself, in a form approved by the City Attorney, at a price not to exceed \$51,633.76 for 2014; and a negotiated amount for future years, pending availability of budgeted funds.