

BILL NO. 22-68

AN ORDINANCE AUTHORIZING THE CITY TO PAY MAINTENANCE AND SUPPORT COSTS PURSUANT TO THE TERMS OF THE MASTER SERVICES AGREEMENT BETWEEN THE CITY AND OPG-3, INC., AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE SAME ON BEHALF OF THE CITY.

WHEREAS, on November 19, 2019, pursuant to Ordinance No. 8770, the City executed a Master Services Agreement with OPG-3, Inc. ("MSA") to acquire and implement the Laserfische Enterprise Content Management System ("Laserfische System"); and,

WHEREAS, the City subsequently amended the MSA pursuant to Ordinance No. 8975 to increase the number of licenses; and,

WHEREAS, the MSA stipulates the cost of ongoing maintenance and support, and price increase caps; and,

WHEREAS, Ordinance No. 8770 was unclear as to whether the maximum spend under the MSA included maintenance and support costs for the Laserfische System; and,

WHEREAS, the maximum MSA spend approved by Ordinance No. 8770 and Ordinance No. 8975 was intended to only include the software acquisition and installation costs; and,

WHEREAS, the City Council wants to clarify that the City has authority to pay for the maintenance and support costs associated with the Laserfische System as set forth in the MSA.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council hereby authorizes the payment of maintenance and support costs based on the per unit basis pursuant to the Software and Support Costs, attached as Exhibit D to the Master Services Agreement between the City of Lee's Summit, Missouri and OPG-3, Inc. dated November 19, 2019, and authorizes the City Manager to execute all documents necessary to effectuate the same by and on behalf of the City of Lee's Summit.

SECTION 2. This Ordinance shall be in full force and effect from and after the date of its adoption, passage, and approval by the Mayor.

SECTION 3. Should any section, sentence, or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences or clauses.

PASSED by the City Council of the City of Lee's Summit, Missouri, this ____ day of _____, 2022.

Mayor William A. Baird

ATTEST:

City Clerk *Trisha Fowler-Arcuri*

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APPROVED by the Mayor of said city this ____ day of _____, 2022.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler-Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian H. Head*