

BILL NO. 24-171

AN ORDINANCE APPROVING A CONTRACTUAL SERVICES AGREEMENT, HOSTING SERVICE AGREEMENT, MAINTENANCE AGREEMENT AND BRONZE LEVEL SERVICE MEMBERSHIP WITH N. HARRIS COMPUTER CORPORATION FOR CITYVIEW SOFTWARE AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME FOR THE CITY ALL AS SOLE SOURCE PROCUREMENTS.

WHEREAS, the Development Services Department currently uses an older version of CityView and is pursuing these agreements to upgrade to a more modern version known as Workspace; and,

WHEREAS, the Contractual Services Agreement allows for the upgrade and any data conversion; and,

WHEREAS, the Hosting Agreement provides for the remote hosting of the software and any associated data with the maintenance of any associated equipment, similar to cloud computing and storage; and,

WHEREAS, the Maintenance Agreement provides for:

- A. Priority response on support requests regarding the Software, as described in the CityView Service Level Addendum; and,
- B. Remote diagnosis of operational issues related to the Software, provided that the Licensee has obtained, at its cost, the necessary software, hardware and instruction to allow CityView to provide such assistance; and,
- C. Updates for the Software at no extra charge except for magnetic media and courier costs, these updates to include minor changes, enhancements, improvements, and problem resolutions.

WHEREAS, the Bronze Maintenance Membership provides for:

- A. One (1) user conference registration per year
- B. One (1) Health(s) Check per year to review your CityView usage and configuration and provide report
- C. Up to two (2) upgrades per year performed by CityView support
- D. Up to six (6) hours of remote (webex) training per year, specific to the City's environment
- E. Up to twelve (12) hours of other services (configuration, reports, customizations, etc.) per year; and,

WHEREAS, the City's Senior Procurement Officer and Information Technology Applications Administrator reviewed and are in support of a Sole Source agreement for this project as this is an upgrade of an existing product and no other vendors provide CityView Software Maintenance and Support.

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

SECTION 1. The N. Harris Computer Corporation Contractual Services Agreement which is attached hereto as Exhibit A and incorporated herein by reference is hereby approved and the City Manager is authorized to execute the Agreement in substantial compliance with the attached version. The City Council hereby delegates authority to City staff to negotiate such changes to the Agreement and its exhibits as are necessary to complete the Agreement and carry out the purposes and intent of the project for the City. Such changes may include changes to the Agreement, provided that the price paid for the services and the other items which constitute the consideration do not exceed the spending authority granted in this ordinance.

SECTION 2. The City Manager is hereby authorized to spend up to \$258,570 for the services to be received by the city under the Contractual Services Agreement approved in Section 1 above.

SECTION 3. The N. Harris Computer Corporation Hosting Service Agreement which is attached hereto as Exhibit B and incorporated herein by reference is hereby approved and the City Manager is authorized to execute the Agreement in substantial compliance with the attached version. The City Council hereby delegates authority to City staff to negotiate such changes to the Agreement and its exhibits as are necessary to complete the Agreement and carry out the purposes and intent of the project for the City. Such changes may include changes to the Agreement, provided that the price paid for the services and the other items which constitute the consideration do not exceed the spending authority granted in this ordinance.

SECTION 4. The City Manager is hereby authorized to spend up to \$45,802 per year for the services to be received by the city under the Hosting Service Agreement approved in Section 3 above and subject to annual appropriation also accept an automatic yearly renewal and a 4% increase each year for a duration of ten (10) years.

SECTION 5. The N. Harris Computer Corporation Maintenance Agreement which is attached hereto as Exhibit C and incorporated herein by reference is hereby approved and the City Manager is authorized to execute the Agreement in substantial compliance with the attached version. The City Council hereby delegates authority to City staff to negotiate such changes to the Agreement and its exhibits as are necessary to complete the Agreement and carry out the purposes and intent of the project for the City. Such changes may include changes to the Agreement, provided that the price paid for the services and the other items which constitute the consideration do not exceed the spending authority granted in this ordinance.

SECTION 6. The City Manager is hereby authorized to spend up to \$111,289.44 per year for the services to be received by the city under the Maintenance Agreement approved in Section 5 above and subject to annual appropriation also accept an automatic yearly renewal and a 4% increase each year for a duration of ten (10) years.

SECTION 7. The N. Harris Computer Corporation Bronze Maintenance Membership which is attached hereto as Exhibit D and incorporated herein by reference is hereby approved and the City Manager is authorized to execute the Agreement in substantial compliance with the attached version. The City Council hereby delegates authority to City staff to negotiate such changes to the Agreement and its exhibits as are necessary to complete the Agreement and carry out the purposes and intent of the project for the City. Such changes may include changes to the Agreement, provided that the price paid for the services and the other items which constitute the consideration do not exceed the spending authority granted in this ordinance.

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SECTION 8. The City Manager is hereby authorized to spend up to \$8,800 for the services to be received by the city under the Bronze Maintenance Membership approved in Section 7 above.

SECTION 9. The City Manager is hereby authorized to execute each of the agreements authorized in Sections 1, 3, 5, and 7 above, as a Sole Source agreement, due to the fact that this is an upgrade of an existing product and no other vendors provide CityView Software Maintenance and Support.

SECTION 10. This Ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

SECTION 11. 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 _____, 2024.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this _____ day of _____, 2024.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*