

## **BILL NO. 17-193**

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AN ORDINANCE APPROVING THE AWARD OF A SOLE SOURCE TO FDM SOFTWARE FOR THE IMPLEMENTATION OF AUTOMATIC VEHICLE LOCATION & CLOSEST UNIT RECOMMENDATION SOFTWARE IMPLEMENTATION SERVICES, APPROVING AN AGREEMENT FOR SERVICES AND AMENDED AND RESTATED SOFTWARE SUPPORT AND MAINTENANCE AGREEMENT BY AND BETWEEN FDM SOFTWARE LTD. AND THE CITY OF LEE'S SUMMIT, MISSOURI, AND AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS NECESSARY TO EFFECTUATE THE SAME BY AND ON BEHALF OF THE CITY.

WHEREAS, The City of Lee's Summit Fire Department (hereinafter "Fire Department") currently utilizes a number of technology and software products from FDM Software, Ltd. in order to assist in providing public safety services to the citizens of Lee's Summit, including computer aided dispatch, records management, MobileCAD, 911 interfacing, E-mail gateway and Rip-n-Run software; and,

WHEREAS, the Fire Department has been planning to launch the implementation of additional software resources from the FDM platform to the Fire Department suite, including automatic vehicle location (AVL) and closest unit recommendation (CUR) software; and,

WHEREAS, the upgrade and implementation of these modules have been included in the FY2018 budget; and,

WHEREAS, FDM Software Ltd. is the only vendor who can distribute the modules identified herein and is the only entity that provides support services related to the products currently in use by the Fire Department as well as the AVL and CUR modules; and,

WHEREAS, pursuant to Section XV.B.1 of the City of Lee's Summit Purchasing Policy, the procurement of implementation and software support services for AVL and CUR software for the Fire Department from FDM Software Ltd. constitutes a legitimate sole source; and,

WHEREAS, FDM Software Ltd. and the City of Lee's Summit have negotiated the terms and conditions associated with the implementation of AVL and CUR software into the Fire Department's current platform in the Agreement for Services – Automatic Vehicle Location & Closest Unit Recommendation Software Implementation, attached hereto as Exhibit A and incorporated herein by reference; and,

WHEREAS, FDM Software Ltd. and the City of Lee's Summit have further negotiated terms and conditions associated with the continued software support and maintenance of the AVL and CUR modules and have incorporated the terms and conditions associated therewith, along with the existing agreements for software support and maintenance for existing FDM modules in the First Amended and Restated Software Support and Maintenance Agreement, attached hereto as Exhibit B and incorporated herein by reference; and,

WHEREAS, FDM Software Ltd. and the City of Lee's Summit desire to enter into said Exhibits A and B in order to authorize the implementation of the AVL and CUR software modules into the Fire Department system, to allow for continued maintenance and support of

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the same from FDM Software, Ltd., and to formalize the parties' understandings of the negotiated terms and conditions associated therewith.

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

SECTION 1. That the Sole Source for implementation of automatic vehicle location (AVL) and closest unit recommendation (CUR) software modules to the Lee's Summit Fire Department by FDM Software, Ltd. be and is hereby approved.

SECTION 2. That the Agreement for Services – Automatic Vehicle Location & Closest Unit Recommendation Software Implementation by and between the City of Lee's Summit, Missouri and FDM Software, Ltd., attached hereto as Exhibit A and incorporated herein by reference be and is hereby approved and the City Manager is authorized to execute the same by and on behalf of the City.

SECTION 3. That the First Amended and Restated Software Support and Maintenance Agreement by and between the City of Lee's Summit, Missouri and FDM Software, Ltd., attached hereto as Exhibit B and incorporated herein by reference be and is hereby approved and the City Manager is authorized to execute the same by and on behalf of the City.

SECTION 4. That the City Manager is authorized to execute any other documents, certificates or instruments as may be necessary to carry out and comply with the intent of this Ordinance.

SECTION 5. That this Ordinance shall be in full force and effect from and after the date of its adoption, passage, and approval by the Mayor.

PASSED by the City Council of Lee's Summit, Missouri this \_\_\_\_ day of \_\_\_\_\_, 2017.

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*Mayor Randall L. Rhoads*

ATTEST:

\_\_\_\_\_  
Deputy City Clerk *Trisha Fowler Arcuri*

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APPROVED by the Mayor of said City this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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Mayor *Randall L. Rhoads*

ATTEST:

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Deputy City Clerk *Trisha Fowler*

APPROVED AS TO FORM:

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Chief Counsel of Management and Operations/Deputy City Attorney  
*Jackie McCormick Heanue*