

ORDINANCE No.

188133

*Authorize a contract with IBM to implement master terms and conditions for the acquisition of goods and services for a five-year contract term not to exceed \$5,000,000 (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. On December 20, 2006, City Council approved Ordinance No. 180675 to authorize execution of a contract with IBM, for a total not-to-exceed amount of \$10 million, for the purchase of goods and services in support of IBM technology. This contract replaced a previous agreement with IBM which had expired.
2. The City of Portland currently owns and/or licenses IBM technology that supports several of the City's key systems and critical operations. The City's IBM assets include hardware and software that must be maintained and supported in order to ensure dependable, optimal performance. As a result, the City has engaged IBM to provide maintenance and support.
3. IBM's standard business practice requires that each customer enter into a master agreement that sets forth the general terms of the parties' relationship called the IBM Client Relationship Agreement (CRA). This master agreement's terms and conditions guide and drive all transactions between IBM and its individual customers.
4. In accordance with City Code 5.33.220 D. 12, the City may directly enter into a contract for information technology hardware or software maintenance, licenses, subscriptions and upgrades without competitive solicitation where available from only one source or are obtained from the City's current provider in order to utilize the pre-existing knowledge of the vendor regarding the specifics of the City's hardware or software system.
5. The new master agreement is intended to be effective for an initial term of five (5) years with an option to renew for an additional five years. The total term of the Agreement shall not exceed ten (10) years.
6. IBM has a current City of Portland Business Tax Registration and EEO Certification, and are in compliance with the Equal Benefits Program. The Bureau's confidence level rating for this contract is High, based upon historical usage.

NOW, THEREFORE, the Council directs:

- a. That the Chief Procurement Officer is authorized to execute a contract with IBM for the purchase of good and services, including software programs, cloud services, technical support services, maintenance and hardware provided that the contract is approved as to form by the City Attorney.

Section 2. The Council declares that an emergency exists because the City needs to have continuity for all current software licenses and to continue uninterrupted maintenance support

and other services obtained from IBM. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council:

Commissioner: Mayor Charlie Hales

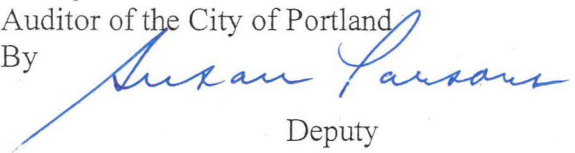
Prepared by: Christine Moody

Date prepared: November 23, 2016

Mary Hull Caballero

Auditor of the City of Portland

By



Deputy

1303

Agenda No.
ORDINANCE NO.
Title

188133

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NOV 29 2016

INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales	CLERK USE: DATE FILED _____
COMMISSIONER APPROVAL Mayor— <i>[Signature]</i> Finance and Administration - Hales Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick	Mary Hull Caballero Auditor of the City of Portland By: <i>[Signature]</i> Deputy
BUREAU APPROVAL Bureau: OMF/BRFS/Procurement Services OMF CAO: Fred Miller <i>AB</i> Bureau Head: Ken Rust <i>[Signature]</i>	ACTION TAKEN:
Prepared by: Christine Moody Date Prepared: November 23, 2016	
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input type="checkbox"/>	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter	
Council Meeting Date December 7, 2016	

AGENDA TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input checked="" type="checkbox"/> Total amount of time needed: 5 minutes (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Novick	4. Novick	<input checked="" type="checkbox"/>	
Hales	Hales	<input checked="" type="checkbox"/>	