

10-0-1860

(Do Not Write Above This Line)

AN ORDINANCE
BY FINANCE/ EXECUTIVE COMMITTEE

AN ORDINANCE WAIVING THE PAYMENT PROVISIONS CONTAINED IN THE CITY OF ATLANTA CODE OF ORDINANCES, ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, TO RATIFY THE PRIOR PROVISION OF HARDWARE MAINTENANCE AND SUPPORT SERVICES BY INTERNATIONAL BUSINESS MACHINES UNDER AN EXPIRED AGREEMENT FOR THE PERIOD BEGINNING JULY 1, 2010 THROUGH NOVEMBER 15, 2010 FOR AN AMOUNT NOT TO EXCEED ONE HUNDRED SEVEN THOUSAND, SEVENTY-SEVEN DOLLARS AND THIRTY-FIVE CENTS (\$107,077.35); TO AUTHORIZE THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN APPROPRIATE COOPERATIVE PURCHASING AGREEMENT WITH INTERNATIONAL BUSINESS MACHINES UTILIZING GENERAL SERVICES ADMINISTRATION CONTRACT NUMBER GS-35F-4984H FOR HARDWARE MAINTENANCE AND SUPPORT SERVICES BEGINNING NOVEMBER 16, 2010 THROUGH JUNE 30, 2011 FOR SEVEN (7) MONTHS AN AMOUNT NOT TO EXCEED ONE HUNDRED FORTY-NINE THOUSAND, NINE HUNDRED EIGHT DOLLARS AND THIRTY-FOUR CENTS (\$149,998.34), WITH TWO (2) ONE-YEAR RENEWAL OPTIONS BEGINNING JULY 1, 2011 IN, FOR AN ANNUAL AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY-SIX THOUSAND, NINE HUNDRED EIGHTY-FIVE DOLLARS AND SIXTY-NINE CENTS (\$256,985.69) TO BE CHARGED TO AND PAID FROM 1001 (GENERAL FUND) 050212 (IT SERVER MANAGEMENT) 5213001 (CONSULTING/PROFESSIONAL SERVICES-TECHNICAL) 1535000 (DATA PROCESSING/ MANAGEMENT INFORMATION SYSTEM); AND FOR OTHER PURPOSES.

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2ND READ & REFER
- PERSONAL PAPER REFER

Date Referred: 11/01/10
 Referred To: Finance Exec.
 Date Referred:
 Referred To:
 Date Referred:
 Referred To:

Committee: Finance & Administration
 Date: 10/23/10
 Chair: Johnson
 Referred To: Finance & Administration

Final Step
 11/10/10
 Chair: Johnson
 Action: Fav, Adv, Hold (see rev. side)
 Other:

Members: Johnson & Johnson
 Refer To: Johnson

Committee:
 Date:
 Chair:
 Action:
 Fav, Adv, Hold (see rev. side)
 Other:
 Members:
 ADOPTED BY
 NOV 15 2010
 Refer To:
 COUNCIL

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
 Consent V Vote RRC Vote

CERTIFIED
 NOV 15 2010
 ATLANTA CITY COUNCIL PRESIDENT
 [Signature]

CERTIFIED
 NOV 15 2010
 Paul Douglas Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION
 APPROVED
 NOV 24 2010
 WITHOUT SIGNATURE
 BY OPERATION OF LAW



**AN ORDINANCE
BY FINANCE/ EXECUTIVE COMMITTEE**

AN ORDINANCE WAIVING THE PAYMENT PROVISIONS CONTAINED IN THE CITY OF ATLANTA CODE OF ORDINANCES, ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, TO RATIFY THE PRIOR PROVISION OF HARDWARE MAINTENANCE AND SUPPORT SERVICES BY INTERNATIONAL BUSINESS MACHINES UNDER AN EXPIRED AGREEMENT FOR THE PERIOD BEGINNING JULY 1, 2010 THROUGH NOVEMBER 15, 2010 FOR AN AMOUNT NOT TO EXCEED ONE HUNDRED SEVEN THOUSAND, SEVENTY-SEVEN DOLLARS AND THIRTY-FIVE CENTS (\$107,077.35); TO AUTHORIZE THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN APPROPRIATE COOPERATIVE PURCHASING AGREEMENT WITH INTERNATIONAL BUSINESS MACHINES UTILIZING GENERAL SERVICES ADMINISTRATION CONTRACT NUMBER GS-35F-4984H FOR HARDWARE MAINTENANCE AND SUPPORT SERVICES BEGINNING NOVEMBER 16, 2010 THROUGH JUNE 30, 2011 FOR SEVEN (7) MONTHS AN AMOUNT NOT TO EXCEED ONE HUNDRED FORTY-NINE THOUSAND, NINE HUNDRED EIGHT DOLLARS AND THIRTY-FOUR CENTS (\$149,908.34), WITH TWO (2) ONE-YEAR RENEWAL OPTIONS BEGINNING JULY 1, 2011 IN, FOR AN ANNUAL AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY-SIX THOUSAND, NINE HUNDRED EIGHTY-FIVE DOLLARS AND SIXTY-NINE CENTS (\$256,985.69) TO BE CHARGED TO AND PAID FROM 1001 (GENERAL FUND) 050212 (IT SERVER MANAGEMENT) 5213001 (CONSULTING/PROFESSIONAL SERVICES-TECHNICAL) 1535000 (DATA PROCESSING/ MANAGEMENT INFORMATION SYSTEM); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") entered into a Thirty-Six (36) month blanket purchase order with International Business Machines Corporation ("IBM") for hardware and software purchases, maintenance and support, pursuant to Resolution 05-R-1537 adopted by the Atlanta City Council on September 6, 2005 and approved by the Mayor on September 12, 2005; and

WHEREAS, IBM presented the City with a renewal quote for maintenance and support that did not meet the City's approval, thus, prompting a verification and validation of the hardware listed in the quote; and

WHEREAS, IBM continued to provide maintenance and support services for the hardware since the initial contract and during the verification and validation period; and

WHEREAS, the City has a continuing need for the maintenance and support services; and

WHEREAS, the Chief Information Officer and the Chief Procurement Officer have identified General Services Administration ("GSA") contract number GS-35F-4984H as



an appropriate vehicle for a cooperative purchase of the maintenance and support services; and

WHEREAS, the Chief Information Officer and the Chief Procurement Officer recommend the execution of a cooperative purchasing agreement with IBM for hardware maintenance and support services for seven (7) months, utilizing GSA contract number GS-35F-4984H with an effective date of November 16, 2010, in an amount not to exceed One Hundred Forty-Nine Thousand, Nine Hundred Eight Dollars And Thirty-Four Cents (\$149,908.34).

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

SECTION 1: that the City's actions in accepting and paying for hardware maintenance and support services provided by IBM from July 1, 2010 through November 15, 2010 are ratified and confirmed.

SECTION 2: that the Chief Financial Officer is authorized to remit payment to IBM for unpaid hardware maintenance and support services incurred through November 15, 2010 in an amount not to exceed One Hundred Seven Thousand, Seventy-Seven Dollars And Thirty-Five Cents (\$107,077.35), to be charged to and paid from Fund, Department, Organization, and Account Numbers 1001 (General Fund) 050212 (IT Server Management) 5213001 (Consulting/Professional Services-Technical) 1535000 (Data Processing/ Management Information System).

SECTION 3: that the Mayor or his designee is authorized to execute, on behalf of the City of Atlanta, a cooperative purchasing agreement with IBM for hardware maintenance and support services for a period of seven (7) months, utilizing the GSA Contract Number GS-35F-4984H with an effective date of November 16, 2010, in an amount not to exceed One Hundred Forty-Nine Thousand, Nine Hundred Eight Dollars And Thirty-Four Cents (\$149,908.34) all contracted work shall be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 050212 (IT Server Management) 5213001 (Consulting/Professional Services-Technical) 1535000 (Data Processing/ Management Information System).

SECTION 4: that the agreement may be renewed for two (2) one-year terms beginning July 1, 2011 for an amount not to exceed Two Hundred Fifty-Six Thousand, Nine Hundred Eighty-Five Dollars and Sixty-Nine Cents (\$256,985.69) per year upon council authorization.

SECTION 5: that the Chief Procurement Officer in consultation with the City Attorney is directed to prepare an appropriate document for execution by the Mayor.

SECTION 6: that the agreement will not become binding on the City and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested



to by the Municipal Clerk, approved as to form by the City Attorney, and delivered to IBM.

SECTION 7: that Article X, Section 2-1212 (establishing the prerequisite encumbrance of funds) of the City of Atlanta's Code of Ordinances is hereby waived to the extent that such applies to the payment for services provided after contract expiration.

A true copy,

Deputy Clerk

ADOPTED by the Atlanta Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

NOV 15, 2010

NOV 24, 2010

RCS# 685
11/15/10
2:20 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

EXCEPT 10-O-1822

ADOPT

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 5

| | | | |
|-----------|-------------|-----------|-------------|
| B Smith | B Archibong | Y Moore | B Bond |
| Y Hall | Y Wan | Y Martin | Y Watson |
| B Young | Y Shook | B Bottoms | Y Willis |
| Y Winslow | Y Adrean | Y Sheperd | NV Mitchell |

CONSENT I

| | | 11-01-10 |
|--------------------------|--------------------------|---------------------------|
| ITEMS ADOPTED ON CONSENT | ITEMS ADOPTED ON CONSENT | ITEMS ADVERSED ON CONSENT |
| 1. 10-O-1984 | 35. 10-R-1935 | 44. 10-R-1940 |
| 2. 10-O-0930 | 36. 10-R-1936 | 45. 10-R-1941 |
| 3. 10-O-1769 | 37. 10-R-1937 | 46. 10-R-1942 |
| 4. 10-O-1829 | 38. 10-R-1938 | 47. 10-R-1943 |
| 5. 10-O-1860 | 39. 10-R-1939 | 48. 10-R-1944 |
| 6. 10-O-1983 | 40. 10-R-1955 | 49. 10-R-1945 |
| 7. 10-O-1985 | 41. 10-R-1956 | 50. 10-R-1946 |
| 8. 10-O-1820 | 42. 10-R-1957 | 51. 10-R-1947 |
| 9. 10-O-1821 | 43. 10-R-1958 | 52. 10-R-1948 |
| 10. 10-O-1831 | | 53. 10-R-1949 |
| 11. 10-O-1832 | | 54. 10-R-1950 |
| 12. 10-O-1833 | | 55. 10-R-1951 |
| 13. 10-R-1959 | | 56. 10-R-1952 |
| 14. 10-R-1960 | | 57. 10-R-1953 |
| 15. 10-R-1961 | | 58. 10-R-1954 |
| 16. 10-R-1962 | | |
| 18. 10-R-1963 | | |
| 19. 10-R-1964 | | |
| 20. 10-R-1923 | | |
| 21. 10-R-1867 | | |
| 22. 10-R-1968 | | |
| 23. 10-R-1969 | | |
| 24. 10-R-1917 | | |
| 25. 10-R-1896 | | |
| 26. 10-R-1927 | | |
| 27. 10-R-1929 | | |
| 28. 10-R-1971 | | |
| 29. 10-R-1997 | | |
| 30. 10-R-1930 | | |
| 31. 10-R-1931 | | |
| 32. 10-R-1932 | | |
| 33. 10-R-1933 | | |
| 34. 10-R-1934 | | |