

10-0-2130  
(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 ACCELA AUTOMATION MAINTENANCE AND SUPPORT SERVICES BY ACCELA, INC., FOR THE PERIOD BEGINNING MAY 1, 2010 THROUGH JANUARY 31, 2011 FOR AN AMOUNT NOT TO EXCEED ONE HUNDRED TWENTY-THREE THOUSAND, ONE HUNDRED SIXTY-EIGHT DOLLARS AND SIXTY CENTS (\$123,168.60); AND TO AUTHORIZE PAYMENT FOR THE REMAINDER OF THE CONTRACT YEAR FROM FEBRUARY 1, 2011 THROUGH APRIL 30, 2011 IN AN AMOUNT NOT TO EXCEED FORTY-ONE THOUSAND, FIFTY-SIX DOLLARS AND TWENTY CENTS (\$41,056.20) FOR A TOTAL AMOUNT NOT TO EXCEED ONE HUNDRED SIXTY-FOUR THOUSAND, TWO HUNDRED TWENTY-FOUR DOLLARS AND EIGHTY CENTS (\$104,224.80) TO BE CHARGED TO AND PAID FROM FUND, DEPARTMENT, ORGANIZATION, AND ACCOUNT NUMBERS 1001 (GENERAL FUND) 050202 (IT APPLICATIONS) 5213001 (CONSULTING/PROFESSIONAL SERVICES - TECHNICAL) 1535000 (DATA PROCESSING/MANAGEMENT INFORMATION SYSTEMS); AND FOR OTHER PURPOSES.

ADOPTED BY

DEC 1 6 2010

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ & REFER
- PERSONAL PAPER REFER

Date Referred 12/10/10  
 Referred To: Finance Ex.  
 Date Referred \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred \_\_\_\_\_  
 Referred To: \_\_\_\_\_

First Reading  
 Committee Finance/Exec  
 Date 12-1-10  
 Chair John A. Nix  
 Referred To Finance & Executive

Committee Fin/Exec  
 Date \_\_\_\_\_  
 Chair John  
 Action Refer  
 Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
 Other \_\_\_\_\_  
 Members John A. Nix  
 Refer To Spec. called Mtg 12/6/10 Council

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
 Other \_\_\_\_\_  
 Members \_\_\_\_\_  
 Refer To \_\_\_\_\_

FINAL COUNCIL ACTION  
 2<sup>nd</sup>  1<sup>st</sup> & 2<sup>nd</sup>  3<sup>rd</sup>  
 Readings  
 Consent  V Vote  RC Vote

CERTIFIED  
 DEC 1 6 2010  
 ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED  
 DEC 1 6 2010  
 Ronald Doughton Johnson  
 MUNICIPAL CLERK

APPROVED  
 DEC 9 2010  
 MAYOR

MAYOR'S ACTION



**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 ACCELA AUTOMATION MAINTENANCE AND SUPPORT SERVICES BY ACCELA, INC., FOR THE PERIOD BEGINNING MAY 1, 2010 THROUGH JANUARY 31, 2011 FOR AN AMOUNT NOT TO EXCEED ONE HUNDRED TWENTY-THREE THOUSAND, ONE HUNDRED SIXTY-EIGHT DOLLARS AND SIXTY CENTS (\$123,168.60); AND TO AUTHORIZE PAYMENT FOR THE REMAINDER OF THE CONTRACT YEAR FROM FEBRUARY 1, 2011 THROUGH APRIL 30, 2011 IN AN AMOUNT NOT TO EXCEED FORTY-ONE THOUSAND, FIFTY-SIX DOLLARS AND TWENTY CENTS (\$41,056.20) FOR A TOTAL AMOUNT NOT TO EXCEED ONE HUNDRED SIXTY-FOUR THOUSAND, TWO HUNDRED TWENTY-FOUR DOLLARS AND EIGHTY CENTS (164,224.80) TO BE CHARGED TO AND PAID FROM FUND, DEPARTMENT, ORGANIZATION, AND ACCOUNT NUMBERS 1001 (GENERAL FUND) 050202 (IT APPLICATIONS) 5213001 (CONSULTING/PROFESSIONAL SERVICES - TECHNICAL) 1535000 (DATA PROCESSING/MANAGEMENT INFORMATION SYSTEMS); AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") entered into a contractual agreement with KIVA, Inc. ("KIVA"), for FC-7030-98, Integrated Land Information Permitting Systems to provide integrated permitting, request for service (code enforcement), and land management information on behalf of the Department of Planning and Community Development; and

**WHEREAS**, the KIVA system was installed, operational and maintained continuously since its installation; and

**WHEREAS**, Accela Inc. ("Accela") purchased KIVA and acquired proprietary information and expertise related to the KIVA system; and

**WHEREAS**, Resolution number 07-R-2396, adopted by City Council on November 19, 2007 and approved by the Mayor on November 27, 2007, authorized the City to enter into a cooperative purchase agreement utilizing General Services Administration Contract number GS-35F-0249R to purchase software upgrades and continue its support relationship with Accela for three (3) years with two (2) one year renewal options; and

**WHEREAS**, Accela has installed the software upgrades and is uniquely qualified to provide continued support to the City's upgraded system; and

**WHEREAS**, the end of the three (3) year period initially authorized by City Council is approaching and the City has an ongoing need for the maintenance and support services to operate the system for internal business processes and to allow the public to access the system; and

**WHEREAS**, neither the Department of Planning and Community Development nor the Department of Information Technology has located an executed contract for the maintenance and support of the Accela system; and



**WHEREAS**, the Chief Procurement Officer and the Chief Information Officer have determined that it is in the City's best interests to ratify the prior provision of services provided by Accela beginning May 1, 2010 to January 31, 2011 to capture any rights and remedies that would have been available to the City and to authorize payment for services rendered in an amount not to exceed One Hundred Twenty-Three Thousand, One Hundred Sixty-Eight Dollars and Sixty Cents (\$123,168.60) while a contract is executed for what will be the first one (1) year renewal option.

**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 Accela maintenance and support services provided by Accela from May 1, 2010 through January 31, 2011 are ratified and confirmed.

**SECTION 2:** that the Chief Financial Officer is authorized to remit payment to Accela for unpaid invoices for maintenance and support services incurred through January 31, 2011 in an amount not to exceed One Hundred Twenty-Three Thousand, One Hundred Sixty-Eight Dollars and Sixty Cents (\$123,168.60), and authorize payment for the balance of the contract year from February 1, 2011 through April 30, 2011 in an amount not to exceed Forty-One Thousand, Fifty-Six Dollars and Twenty Cents (\$41,056.20) for a total contract amount not to exceed One Hundred Sixty-Four Thousand, Two Hundred Twenty-Four Dollars and Eighty Cents (\$164,224.80) to be charged to and paid from Fund, Department, Organization, and Account Numbers 1001 (General Fund) 050202 (IT Applications) 5213001 (Consulting/Professional Services - Technical) 1535000 (Data Processing/Management Information Systems).

**SECTION 3:** that the Mayor is authorized to enter into a one (1) year maintenance and support agreement with Accela and will have a one (1) year renewal option.

**SECTION 4:** that the Chief Procurement Officer is directed to assist the City Attorney in the preparation of the appropriate maintenance and support Agreement with an effective date of May 1, 2011 for execution by the Mayor.

**SECTION 5:** that Article X, Section 2-1212 (establishing the perquisite 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 rendered.

**SECTION 6:** that all Ordinances or parts of Ordinances in conflict with this Ordinance are waived for this instance only.

A true copy  
  
Deputy Clerk

**ADOPTED by the Atlanta City Council  
APPROVED by Mayor Kasim Reed**

**DEC 18, 2010  
DEC 20, 2010**

RCS# 778  
12/16/10  
11:13 AM

Atlanta City Council

REGULAR SESSION

10-O-2130

AMEND PROCUREMENT CODE TO RATIFY THE  
PRIOR PROVISION OF ACCELA  
ADOPT

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 1

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

10-O-2130