

**AN ORDINANCE**   
**BY COUNCIL MEMBER(S) C.T. MARTIN**

**AN ORDINANCE TO WAIVE ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, OF THE ATLANTA CITY CODE OF ORDINANCES AND TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO EXTEND COOPERATIVE PURCHASING AGREEMENT NUMBER COA-6361-PL WITH INTERNATIONAL BUSINESS MACHINES CORPORATION FOR MAINFRAME APPLICATION REMOTE HOSTING SERVICES TO CONTINUE ON A MONTH-TO-MONTH BASIS FOR A PERIOD OF NOT MORE THAN TWELVE (12) MONTHS, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THIRTY-NINE THOUSAND FORTY-THREE DOLLARS AND NO CENTS (\$139,043.00) PER MONTH ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY, ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM THE FUNDING NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.**

**WHEREAS**, International Business Machines Corporation (“IBM”) provides the City of Atlanta (“City”) with a dedicated processor for mainframe application remote hosting (“remote hosting”), maintains system hardware and software, and provides system support services; and

**WHEREAS**, the mainframe applications being hosted include, among others, Business Licensing (“BLIS”), Criminal Justice Information System (“CJIS”), Fire Safety Permits (“FSAF”), and Uniform Crime Reporting (“UCR”); and

**WHEREAS**, the Mayor or his designee, on behalf of the City’s Department of Information Technology (“DIT”), was authorized to execute a cooperative purchasing agreement with IBM utilizing Federal General Services Administration (“GSA”) schedule contract number GS-35F-4984H to purchase remote hosting for a period of two (2) years, pursuant to Resolution 08-R-1605, which was adopted by the Atlanta City Council (“Council”) on September 2, 2008, and approved by the Mayor on September 8, 2008; and

**WHEREAS**, the Mayor or his designee was authorized to execute, on behalf of the City, Cooperative Purchasing Agreement number FC-5165 with IBM, utilizing GSA schedule contract number GS-35F-4984H to purchase remote hosting for a period of two (2) years pursuant to Resolution 10-R-1562, adopted by Council on September 7, 2010, and approved pursuant to City Charter Section 2-403 on September 16, 2010; and

**WHEREAS**, the Chief Procurement Officer authorized a ninety (90) day extension of Cooperative Purchasing Agreement number FC-5165 for IBM remote hosting beginning October 11, 2012, and ending January 10, 2013, pursuant to Article X, Division 4, Section 2-1206(a) of the City of Atlanta Code of Ordinances (“Code”); and

**WHEREAS**, the Mayor or his designee was authorized to execute, on behalf of the City, Cooperative Purchasing Agreement number COA-6361-PL with IBM utilizing GSA schedule contract number GS-35F-4984H, to purchase remote hosting for a period of six (6) months with no renewal options, pursuant to 12-R-1771, adopted by Council on January 7, 2013 and approved pursuant to City Charter Section 2-403 on January 16, 2013; and

**WHEREAS**, Cooperative Purchasing Agreement number COA-6361-PL with IBM utilizing GSA schedule contract number GS-35F-4984H for remote hosting will expire on September 28, 2013, before DIT can present City Council with legislation to authorize a new contract for remote hosting services; and

**WHEREAS**, the Chief Procurement Officer is not authorized to issue another extension but the hosted applications listed above must continue to operate without interruption.

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

**SECTION 1:** That Article X, Procurement and Real Estate Code, of the Atlanta City Code of Ordinances is waived to authorize the Chief Procurement Officer to extend Cooperative Purchasing Agreement number COA-6361-PL with International Business Machines Corporation for mainframe application remote hosting services for an amount not to exceed One Hundred Thirty-Nine Thousand Forty-Three Dollars And No Cents (\$139,043.00) per month.

**SECTION 2:** That the extension shall not commence until September 29, 2013, and will continue on a month-to-month basis until the earlier of either the execution of a new, remote hosting services contract or no more than twelve (12) months.

**SECTION 3:** That all month-to-month contracted work shall be charged to and paid from the following Fund, Department Organization, Account, and Function Activity ("FDOA") and for other purposes: 1001 (GENERAL FUND) 050202 (IT Applications) 5213001 (CONSULTING / PROFESSIONAL SERVICES-TECHNICAL) 1535000 (DATA PROCESSING/MANAGEMENT INFORMATION SYSTEM).

**SECTION 4:** That the Chief Procurement Officer or his designee, in consultation with the City Attorney or her designee, is directed to prepare an amendment to extend the current term of Cooperative Purchasing Agreement Number COA-6361-PL on a month-to-month basis for the purchase of mainframe application remote hosting services.

**SECTION 5:** That all ordinances or parts of ordinances in conflict with this ordinance, including but not limited to Section 2-1206(a) of the City of Atlanta Code of Ordinances (relating to the Chief Procurement Officer's authority to extend contracts), are waived for this instance only.