

RESOLUTION 2004-100

AUTHORIZING SOLE SOURCE CONTRACT 2004-057 WITH NOVELL, INC. FOR MAINTENANCE, LICENSING AND SUPPORT OF THE NETWARE AND GROUPWISE SOFTWARE PROGRAMS FOR A PERIOD OF ONE YEAR AT A TOTAL COST OF \$28,473.00 (GENERAL FUND – INFORMATION SYSTEMS DEPARTMENT BUDGET)

WHEREAS, the Authority requires maintenance and support of its NetWare and GroupWise software programs; and

WHEREAS, the offer of Novell, Inc. located at 6450 Rockside Woods Boulevard, Independence, Ohio to provide such services for a period of one (1) year was received on June 16, 2004; and

WHEREAS, after negotiations, a total price of twenty-eight thousand, four hundred seventy-three and 00/100 dollars (\$28,473.00) was agreed upon; and

WHEREAS, the Ohio Revised Code, Section 306.43(H)(3) provides that competitive bidding is not required when the expenditure is for a renewal or re-negotiation or a lease or license for telecommunications or electronic data processing equipment, service or systems, or for the maintenance thereof as supplied by the original source or its successor or assigns; and

WHEREAS, the General Manager/Secretary-Treasurer deems acceptance of the offer of Novell, Inc. to provide maintenance, licensing and support for the NetWare and GroupWise software programs to be advantageous to the Authority and recommends acceptance thereof to the Board of Trustees.

NOW, THEREFORE BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That the offer of Novell, Inc. as modified by negotiations, to provide maintenance, licensing and support services for the Authority's NetWare and GroupWise software programs for a period of one (1) year be and the same is hereby accepted as in the best interest of the Authority.

Section 2. That the General Manager/Secretary-Treasurer of the Authority be and he is hereby authorized to enter into a contract with Novell, Inc. to provide maintenance, licensing and support services for the Authority's NetWare and GroupWise software programs for a period of one (1) year.

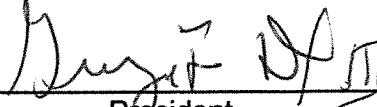
Section 3. That said contract shall be payable from the General Fund, Information Systems Department budget at a total cost of twenty-eight thousand, four hundred seventy-three and 00/100 dollars (\$28,473.00) for a period of one year.

Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon compliance by the contractor to the Specifications and Addenda thereto, if any, the Affirmative Action Plan adopted by the Board of Trustees in Resolution 2003-107; bonding and insurance requirements and all applicable laws relating to contractual obligations of the Authority.

Section 5. That the Greater Cleveland Regional Transit Authority's Board of Trustees expect that Novell, Inc. will attempt to exceed the 0% minimum DBE goal assigned to this procurement.

Section 6. That this resolution shall become effective immediately upon its adoption.

Adopted: July 20, 2004


President

Attest: 
CEO, General Manager/Secretary-Treasurer



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| TITLE/DESCRIPTION: AUTHORIZING SOLE SOURCE CONTRACT 2004-057 WITH NOVELL, INC. FOR MAINTENANCE, LICENSING AND SUPPORT OF THE NETWORK AND GROUPWISE SOFTWARE PROGRAMS FOR A PERIOD OF ONE YEAR AT A TOTAL COST OF \$28,473.00 (GENERAL FUND – INFORMATION SYSTEMS DEPARTMENT BUDGET) | Resolution No.: 2004-100 |
| | Date: July 15, 2004 |
| | Initiator: Information Systems Department |
| ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____ | |

- 1.0 **PURPOSE/SCOPE:** This action will allow the Authority to enter into a contract for maintenance, licensing and support of the NetWare and GroupWise software programs.

- 2.0 **DESCRIPTION/JUSTIFICATION:** Novell NetWare software is required for the operation of the Authority's 10 Novell File and Print Servers and 795 Novell clients (PC's and printers). This allows computer users to store files on a central system for file sharing, data management, data backup, etc. It further allows users to share printers; thus multiple PC's can use a single printer. Novell GroupWise software provides for 762 mailboxes. These support e-mail messaging and scheduling services for all GCRTA computer users.

- 3.0 **PROCUREMENT BACKGROUND:** This sole source contract for maintenance, licensing and support services is exempted from competitive bidding as authorized by Section 306.43(H)(3) of the Ohio Revised Code. Novell, Inc. developed the NetWare and GroupWise software programs on a proprietary basis and is the only source of maintenance, licensing and support services.

The Procurement Department requested a proposal from Novell, Inc. The Information Systems Department reviewed the proposal for adherence to technical scope. The GCRTA is receiving a 50% discount off standard pricing. The Authority paid \$36,268.00 for the same services in 2003. After a review of the current Novell users and negotiations, a total cost of \$28,473.00 was agreed upon. A price analysis was performed and the Procurement Department has determined that the negotiated price is fair and reasonable to the Authority.

- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements have been met. A 0% DBE goal was established for this procurement due to the lack of subcontracting opportunities

- 5.0 **POLICY IMPACT:** Does not apply.

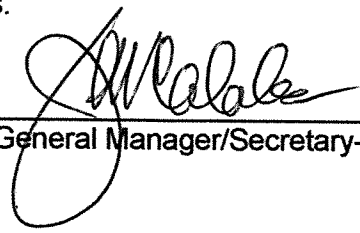
- 6.0 **ECONOMIC IMPACT:** This contract will be funded through the General Fund, Information Systems Department budget at a total cost of twenty-eight thousand, four hundred seventy-three and 00/100 dollars (\$28,473.00) for a period of one year. This negotiated price is 25% less than the budgeted amount of \$38,100.00 for this project.

- 7.0 **ALTERNATIVES:** Reject this offer. Rejection of this offer will put the Authority at risk of not having maintenance, licensing and support of critical software programs used throughout the Authority.

- 8.0 **RECOMMENDATION:** It is recommended that the offer of Novell, Inc. be accepted and the resolution passed authorizing the General Manager/Secretary-Treasurer to enter into a contract.

9.0 ATTACHMENTS: None.

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement Requirements.



CEO, General Manager/Secretary-Treasurer