

RESOLUTION NO. 2005- 142

AUTHORIZING SOLE SOURCE CONTRACT NO. 2005-133 WITH ULTRAMAIN SYSTEMS, INC. TO PROVIDE SOFTWARE MAINTENANCE FOR THE AUTHORITY'S CITME SYSTEM FOR A PERIOD OF FOUR MONTHS IN AN AMOUNT OF \$71,378.00 WITH THREE ANNUAL RENEWALS IN THE AMOUNTS OF \$224,784.00, \$236,051.00 AND \$247,827.00, RESPECTIVELY, FOR A TOTAL CONTRACT AMOUNT OF \$780,040.00 (GENERAL FUND - INFORMATION SYSTEMS DEPARTMENT BUDGET).

WHEREAS, the Authority currently utilizes Ultramain Systems, Inc. licensed products in its maintenance and materials management applications; and

WHEREAS, this maintenance and materials management software is proprietary to Ultramain Systems, Inc. (fka Software Solutions Unlimited), the original provider and installer of this software; and

WHEREAS, the offer of Ultramain Systems, Inc. located at 7500 Jefferson Street, Suite 212, Albuquerque, New Mexico 87109, to provide software maintenance services was received on September 30, 2005; and

WHEREAS, the Ohio Revised Code, Section 306.43H(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, services, or systems, or for the upgrade of such equipment, services, or systems, or for the maintenance thereof as supplied by the original source or its successors or assigns; and

WHEREAS, after negotiations, an amount of \$71,378.00 for a four month period beginning October 1, 2005, with three annual renewals in the amounts of \$224,784.00, \$236,051.00 and \$247,827.00, respectively, for a total contract amount of \$780,040.00 was agreed upon; and

WHEREAS, the General Manager/Secretary-Treasurer deems the negotiated offer of Ultramain Systems, Inc. to provide maintenance services for the CITME System be in the best interest of the Authority and recommends acceptance thereof by 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 Ultramain Systems, Inc., as negotiated, to provide software maintenance services for the Authority's CITME System for a period of four months beginning October 1, 2005, with three annual renewals be and the same is hereby accepted.

Section 2. That the General Manager/Secretary-Treasurer of the Authority be and he is hereby authorized to enter into a contract with Ultramain Systems, Inc. to provide software maintenance services for a period of four months beginning October 1, 2005, with three annual renewals.

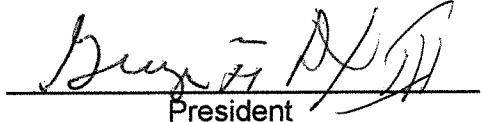
Section 3. That said contract shall be payable out of the General Fund, Information Systems Department budget in an amount of seventy-one thousand three hundred seventy-eight and 00/100 dollars (\$71,378.00) for a four month period beginning October 1, 2005 with three annual renewals beginning February 1, 2006 in the amounts of \$224,784.00, \$236,051.00 and \$247,827.00, respectively, for a total contract amount of \$780,040.00.

Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon appropriation of funding for future years; compliance by the contractor to Specifications and Addenda, if any; the Affirmative Action Plan adopted by the Board of Trustees in Resolution 2005-51; bonding and insurance requirements and all applicable laws relating to the contractual obligation of the Authority.

Section 5. That the Greater Cleveland Regional Transit Authority's Board of Trustees expects that Ultramain Systems, 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: October 18, 2005



President

Attest: 

CEO, General Manager/Secretary-Treasurer



Title/Description: AUTHORIZING SOLE SOURCE CONTRACT NO. 2005-133 WITH ULTRAMAIN SYSTEMS, INC. TO PROVIDE SOFTWARE MAINTENANCE FOR THE AUTHORITY'S CITME SYSTEM FOR A PERIOD OF FOUR MONTHS IN AN AMOUNT OF \$71,378.00 WITH THREE ANNUAL RENEWALS IN THE AMOUNTS OF \$224,784.00, \$236,051.00 AND \$247,827.00, RESPECTIVELY, FOR A TOTAL CONTRACT AMOUNT OF \$780,040.00 (GENERAL FUND – INFORMATION SYSTEMS DEPARTMENT BUDGET).	Resolution No.: 2005- 142
	Date: October 13, 2005
	Initiator: Information Systems Department

ACTION REQUEST:
 Approval
 Review/Comment
 Information Only
 Other _____

- 1.0 **PURPOSE/SCOPE:** This action will allow the Authority to enter into a contract for software maintenance services for the CITME maintenance and materials management system.

- 2.0 **DESCRIPTION/JUSTIFICATION:** The Authority requires a maintenance agreement for the CITME maintenance and materials management system. This system is part of the Operations Division which manages materials usage and the work order system including documentation of labor used to provide both fleet management and facilities management. CITME also provides real time updates to the Authority's inventory system. It is interfaced to the Authority's Oracle Financial Management and Purchasing system. The reports generated through CITME provide management tools that allow for greatly improved analysis of both maintenance processes and contractor performance.

- 3.0 **PROCUREMENT BACKGROUND:** This sole source contract is exempt from competitive bidding as authorized under Section 306.43H(3) of the Ohio Revised Code. Ultramain Systems, Inc. (fka Software Solutions Unlimited) developed this maintenance and materials management system on a proprietary basis and is the only source for maintenance services. This maintenance contract will cover a four-month period from October 1, 2005 through January 31, 2006 in the amount of \$71,378.00. In addition, it will cover three annual maintenance periods from February 1, 2006 through January 31, 2009 in the negotiated amounts of \$224,784.00, \$236,051.00 and \$247,827.00, respectively. The multiple years were negotiated to maximize discounts and to eliminate the need for multiple annual board actions.

The Procurement Department requested a proposal from Ultramain Systems, Inc. The Information Systems Department reviewed the proposal for adherence to the technical scope. A price analysis was performed and the Procurement Department has determined the negotiated price to be fair and reasonable to the Authority.

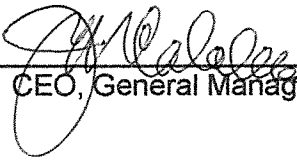
- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** A 0% DBE goal has been established for this procurement due to the lack of subcontracting opportunities as a result of the proprietary nature of the software being purchased. Receipt of documentation pending to complete AA review.

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

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- 6.0 ECONOMIC IMPACT: This contract will be funded through the General Fund, Information Systems Department budget in an amount of seventy-one thousand three hundred seventy-eight and 00/100 dollars (\$71,378.00) for a four month period beginning October 1, 2005 with three annual renewals beginning February 1, 2006 in the amounts of \$224,784.00, 236,051.00 and \$247,827.00, respectively, for a total contract amount of \$780,040.00. This is the budgeted amount for this project.
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer would prevent continued maintenance of the CIMTE software and risk breakdowns in the Authority's maintenance and materials management system.
- 8.0 RECOMMENDATION: It is recommended that the offer of Ultramain Systems, Inc., as negotiated, 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