

RESOLUTION NO. 2012-11

AUTHORIZING CONTRACT NO. 2011-177 WITH ULTRAMAIN SYSTEMS, INC. TO PROVIDE SOFTWARE MAINTENANCE FOR THE AUTHORITY'S CITME SYSTEM FOR A PERIOD OF THREE YEARS IN AN AMOUNT NOT TO EXCEED \$259,672.00 FOR 2012, \$273,175.00 FOR 2013, AND \$287,378.00 FOR 2014, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$820,225.00 (GENERAL FUND, INFORMATION TECHNOLOGY 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. (f.k.a. Software Solutions Unlimited), the original provider and installer of this software; and

WHEREAS, the offer of Ultramain Systems, Inc. located at 7500 Jefferson Street, Courtyard II, Albuquerque, New Mexico 87109, to provide software maintenance services was received on September 15, 2011; 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 \$259,672.00 for 2012, \$273,175.00.00 for 2013, and \$287,378.00 for 2014, for a total contract amount not to exceed \$820,225.00 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 to 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 three years beginning February 1, 2012, 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 sole source contract with Ultramain Systems, Inc. to provide software maintenance services for a period of three years beginning February 1, 2012.


Section 3. That said contract shall be payable out of the General Fund, Information Technology Department budget for a three year period in an amount of two hundred fifty-nine thousand six hundred seventy-two & 00/100 dollars (\$259,672.00) for 2012, two hundred seventy-three thousand one hundred seventy-five & 00/100 dollars (\$273,175.00) for 2013, and two hundred eighty-seven thousand three hundred seventy-eight & 00/100 dollars (\$287,378.00) for 2014, for a total contract amount not to exceed eight hundred twenty thousand two hundred twenty-five & 00/100 dollars (\$820,225.00).

Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon funding for future years, compliance by the contractor to the Specifications and Addenda, if any; the Affirmative Action Plan adopted by the Board of Trustees in Resolution 2011-034; 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 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: February 21, 2012



President

Attest: 

CEO, General Manager/Secretary-Treasurer



<p>Title/Description:</p> <p>CONTRACT: ULTRAMAIN SOFTWARE MAINTENANCE</p> <p>VENDOR: ULTRAMAIN SYSTEMS, INC.</p> <p>AMOUNT: FOR A PERIOD OF THREE YEARS IN AN AMOUNT NOT TO EXCEED \$259,672.00 FOR 2012, \$273,175.00 FOR 2013, AND \$287,378.00 FOR 2014, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$820,225.00</p>	<p>Resolution No.: 2012-11</p> <p>Date: February 16, 2012</p> <p>Initiator: Information Technology Department</p>
<p>ACTION REQUEST:</p> <p><input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____</p>	


- 1.0 PURPOSE/SCOPE: This action will allow the Authority to enter into a sole source 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 that 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. In January 2012, Resolution 2012-5 awarded this maintenance contract for a one-year period from February 1, 2012 through January 31, 2013 in the amount of \$259,672.00. In addition, it covered two optional one year maintenance periods from February 1, 2013 through January 31, 2015, in negotiated amounts not to exceed \$273,175.00 and \$287,378.00, respectively. The 2012 price is a 5.2% increase over the price in 2011. Annual increases are based on a 5.2% increase over the prior year.

Continued negotiations have achieved more favorable terms in the Product Support Policy and in turn it is being requested that the term of the contract be changed to three years, with the annual payments and the total contract price remaining unchanged at \$820,225.00.

The Procurement Department requested a proposal from Ultramain Systems, Inc. The Information Systems Department reviewed the proposal for adherence to the technical requirements. 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: All Affirmative Action requirements have been met. A 0% DBE goal was established for this procurement because it is a proprietary software and its maintenance is exclusive to the original provider and installer, Ultramain Systems, Inc. (f.k.a. Software Solutions Unlimited).

- 5.0 POLICY IMPACT: Does not apply.
- 6.0 ECONOMIC IMPACT: This contract will be funded through the General Fund, Information Technology Department budget, for a three year period in an amount of two hundred fifty-nine thousand six hundred seventy-two & 00/100 dollars (\$259,672.00) for 2012, two hundred seventy-three thousand one hundred seventy-five & 00/100 dollars (\$273,175.00) for 2013, and two hundred eighty-seven thousand three hundred seventy-eight & 00/100 dollars (\$287,378.00) for 2014, for a total contract amount not to exceed eight hundred twenty thousand two hundred twenty-five & 00/100 dollars (\$820,225.00).
- 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