

RESOLUTION NO. 2013-6

AUTHORIZING CONTRACT NO. 2013-005 WITH ORACLE CORPORATION FOR THE PURCHASE OF ORACLE SOFTWARE MAINTENANCE AND SUPPORT SERVICES FOR A PERIOD OF ONE (1) YEAR AT A TOTAL PRICE NOT TO EXCEED \$389,000.00 (GENERAL FUND, INFORMATION TECHNOLOGY DEPARTMENT BUDGET)

WHEREAS, the Authority currently utilizes several Oracle-licensed products for financial and human resource management applications; and

WHEREAS, annual maintenance and support is required to maintain these software applications; and

WHEREAS, these services are only available from Oracle Corporation located at 500 Oracle Parkway, Redwood City, CA 94065, the original licensor of these systems; 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 of 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 successors or assigns; and

WHEREAS, Oracle Corporation has offered to provide said maintenance and support services at a negotiated price of three hundred eighty-nine thousand & 00/100 dollars (\$389,000.00) for a period of one (1) year; and

WHEREAS, the General Manager/Secretary-Treasurer has deemed the offer of Oracle Corporation, as negotiated, to provide maintenance and support services for the Oracle software programs 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 Oracle Corporation to provide Oracle Software Maintenance and Support Services for a period of one (1) year 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 Oracle Corporation to provide said services.

Section 3. That said contract shall be payable out of the General Fund, Information Technology Department budget at a total price not to exceed three hundred eighty-nine thousand & 00/100 dollars (\$389,000.00) for a period of one (1) 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, if any; the Affirmative Action Plan adopted by the Board of Trustees in Resolution No. 2012-036; 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 Oracle Corporation 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 19, 2013

  
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President

Attest:   
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CEO, General Manager/Secretary-Treasurer



TITLE/DESCRIPTION: <b>CONTRACT: ORACLE SOFTWARE MAINTENANCE AND SUPPORT</b> <b>VENDOR: ORACLE CORPORATION</b> <b>AMOUNT: NOT TO EXCEED \$389,000.00</b>	Resolution No.: 2013-6
	Date: February 14, 2013
	Initiator: Information Technology
ACTION REQUEST: <input checked="" type="checkbox"/> Approval      Review/Comment      Information Only      Other _____	

- 1.0 **PURPOSE/SCOPE:** This action will allow the Authority to enter into a contract to obtain software upgrades and technical maintenance and support on various Oracle products for a period of one (1) year.
- 2.0 **DESCRIPTION/JUSTIFICATION:** The GCRTA has been utilizing the Oracle Applications since 1995. Annual maintenance and support is required to maintain the Oracle Enterprise Business Suite – Financials, Procurement, HR/Payroll applications and Primavera – Construction Contract/Project Management, as well as all GCRTA executed applications that utilize the Oracle database. These include HASTUS, CITME/Ultramain, Kronos, Riskmaster, and Trapeze products, among others. The Oracle application is a proprietary product designed and supported exclusively by the Oracle Corporation.
- 3.0 **PROCUREMENT BACKGROUND:** This contract for maintenance and support services is exempted from competitive bidding as authorized by Section 306.43(H)(3) of the Ohio Revised Code. After negotiations, Oracle Corporation offered to provide maintenance and support for the various Oracle software products for a total cost of \$389,000.00. This price represents a discount from the rates listed in the State Cooperative Purchasing Agreement. The Information Technology Department reviewed the offer for adherence to technical scope.  
  
A price analysis has been performed and the Procurement Department has determined that the 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 because it is a proprietary software and its maintenance is exclusive to the original provider and installer.
- 5.0 **POLICY IMPACT:** Does not apply.
- 6.0 **ECONOMIC IMPACT:** The contract will be funded through the General Fund, Information Technology Department budget at a total price not to exceed three hundred eighty-nine thousand & 00/100 dollars (\$389,000.00). This price is 2% below the 2013 budgeted amount.
- 7.0 **ALTERNATIVES:** Reject this offer. Rejection of this offer would leave the Oracle software programs without adequate maintenance and support.

- 8.0 RECOMMENDATION: It is recommended that the offer of Oracle Corporation 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.



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CEO, General Manager/Secretary-Treasurer