

RESOLUTION NO. 2019-65

AUTHORIZING CONTRACT NO. 2019-76 WITH DELL MARKETING, LP FOR THE PURCHASE OF A MICROSOFT ENTERPRISE LICENSE AGREEMENT THROUGH THE STATE OF OHIO, DEPARTMENT OF ADMINISTRATIVE SERVICES, COOPERATIVE PURCHASING PROGRAM, AS SPECIFIED, IN AN AMOUNT NTE \$171,371.66 FOR A TOTAL AMOUNT NTE \$514,114.98 FOR THREE YEARS (GENERAL FUND, INFORMATION TECHNOLOGY, DEPARTMENT BUDGET)

WHEREAS, the Authority requires the ability to update the Authority's Operating Systems and Applications to the latest supported releases via a Microsoft Enterprise License Agreement; and

WHEREAS, the Microsoft Enterprise License Agreement is available through the State of Ohio, Department of Administrative Services, Cooperative Purchasing Program through Dell Marketing, LP, located at One Dell Way, Round Rock, TX 78682, at an amount not to exceed \$171,371.66 per year, for a total contract amount not to exceed \$514,114.98 for the three-year contract term; and

WHEREAS, Section 306.43 (H)(4) of the Ohio Revised Code provides political subdivisions within the State of Ohio the opportunity to participate in contracts executed by the State of Ohio, Department of Administrative Services; and

WHEREAS, the Board of Trustees authorized utilization of the Cooperative Purchasing Program in Resolution No.1990-69; and

WHEREAS, the Interim CEO, General Manager/Secretary-Treasurer deems it is in the best interest of the Authority to procure the Enterprise License Agreement from Dell Marketing, LP utilizing the Cooperative Purchasing Program 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 Dell Marketing, LP for furnishing a Microsoft Enterprise License Agreement for a period of three years be and the same is hereby accepted.

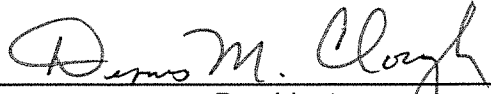
Section 2. That the Interim CEO, General Manager/Secretary-Treasurer of the Authority be and he is hereby authorized to enter into a contract with Dell Marketing, LP for furnishing a Microsoft Enterprise License Agreement for a period of three years.

Section 3. That this procurement will be funded through the General Fund, Information Technology Department budget, in an amount not to exceed \$171,371.66 per year, for a total contract amount not to exceed \$514,114.98 for a period of three years.

Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon future funding, compliance by the contractor to the Specifications and Addenda, if any; the Affirmative Action Plan adopted by the Board of Trustees in Resolution No. 2015-76; bonding and insurance requirements and all applicable laws relating to contractual obligations of the Authority.

Section 5. That this resolution shall become effective immediately upon its adoption.

Adopted: June 18, 2019

  
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President

Attest:   
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Interim CEO, General Manager/Secretary-Treasurer



<b>TITLE/DESCRIPTION:</b> <b>CONTRACT:</b> MICROSOFT ENTERPRISE LICENSE AGREEMENT FOR THREE-YEAR PERIOD <b>VENDOR:</b> DELL MARKETING, LP <b>AMOUNT:</b> ANNUAL AMOUNT NTE \$171,371.66 FOR A TOTAL AMOUNT NTE \$514,114.98 FOR THREE YEARS	<b>Resolution No.:</b> 2019-65
	<b>Date:</b> June 13, 2019
	<b>Initiator:</b> Information Technology
<b>ACTION REQUEST:</b> <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 **PURPOSE/SCOPE:** This resolution will allow the Authority to enter into a contract for the furnishing of a Microsoft Enterprise License Agreement from the State of Ohio, Department of Administrative Services, Cooperative Purchasing Agreement for a period of three years.
- 2.0 **DESCRIPTION/JUSTIFICATION:** The Authority's current PCs and the majority of the file servers use Microsoft Operating Systems and applications to conduct daily business across the Authority. In order to legally upgrade the Authority's Operating Systems and Applications to the latest supported releases, GCRTA must either purchase individual licenses for each PC and server, or enter into an Enterprise License Agreement. An Enterprise License Agreement will be less costly than purchasing upgrades individually for each PC and server, and includes technical support services from Microsoft. It also includes Software Assurance, which entitles GCRTA to software upgrades for the duration of the agreement. Microsoft requires a three-year commitment for an Enterprise License Agreement. The Agreement will include Windows Desktop Operating Systems, Microsoft Office Professional Plus Products including: Word, Excel, PowerPoint, Access, One Note, and Publisher, as well as, SQL Server, Windows Server Standard and Data Center, and VDI licenses. This Agreement will renew the licenses obtained under the original agreement three years ago.
- 3.0 **PROCUREMENT BACKGROUND:** Section 306.43 (H)(4) of the Ohio Revised Code provides political subdivisions within the State of Ohio the opportunity to participate in contracts executed by the State of Ohio, Department of Administrative Services, for the purchase of supplies, services, equipment, and certain materials. Resolution No. 1990-69 gives authorization to the CEO, General Manager/Secretary-Treasurer to utilize the State of Ohio Cooperative Purchasing Program. Microsoft requires a three-year commitment for an Enterprise License Agreement. Each year is at a price not to exceed \$171,371.66, for a total contract amount not to exceed \$514,114.98 for the three-year period. The prices established under the state program are the result of a competitive bidding process.
- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** The Office of Business Development does not conduct Affirmative Action reviews or establish goals on procurements included in the State Cooperative Purchasing program.
- 5.0 **POLICY IMPACT:** Does not apply.
- 6.0 **ECONOMIC IMPACT:** The contract shall be payable through the General Fund, Information Technology Department budget, in an amount not to exceed \$171,371.66 per year, for a total amount not exceed \$514,114.98 for the three-year period. This total is approximately 6% above the budgeted amount.

- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer would force the Authority to continue using unsupported software which could pose significant security and business risks, impact user productivity, and increase the support effort and cost to maintain the systems.
- 8.0 RECOMMENDATION: It is recommended that the offer of Dell Marketing, LP be accepted and the resolution passed authorizing the Interim CEO, 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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Interim CEO, General Manager/Secretary-Treasurer