

RESOLUTION NO. 2021-5

AUTHORIZING CONTRACT NO. 2021-001 WITH ORACLE CORPORATION TO PROVIDE ORACLE SOFTWARE MAINTENANCE AND SUPPORT SERVICES FOR A PERIOD OF ONE YEAR IN AN AMOUNT NOT TO EXCEED \$388,132.99 (GENERAL FUND, INFORMATION TECHNOLOGY DEPARTMENT BUDGET)

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

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

WHEREAS, these services are available from Oracle Corporation, located at 500 Oracle Parkway, Redwood City, CA 94065, the original licensor of these products; 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 renegotiation of 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, Oracle Corporation has offered to provide said maintenance and support services at a negotiated amount not to exceed \$388,132.99 for a period of one year; and

WHEREAS, the General Manager, Chief Executive Officer deems the offer of Oracle Corporation, as negotiated, to provide maintenance and support services for the Oracle software applications, 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, as negotiated, to provide Oracle software maintenance and support services for a period of one year be and the same is hereby accepted.

Section 2. That the General Manager, Chief Executive Officer of the Authority be and she is hereby authorized to enter into a sole source contract with Oracle Corporation to provide said services.

Section 3. The contract will be funded through the General Fund, Information Technology Department budget, in an amount not to exceed \$388,132.99 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, if any; the Affirmative Action Plan adopted by the Board of Trustees, 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: January 19, 2021

  
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President

Attest:   
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Interim Secretary-Treasurer



TITLE/DESCRIPTION: <b>CONTRACT: ORACLE SOFTWARE MAINTENANCE &amp; SUPPORT</b>  <b>VENDOR: ORACLE CORPORATION</b>  <b>AMOUNT: NTE \$388,132.99 FOR A ONE YEAR PERIOD</b>	Resolution No.: <b>2021-5</b>
	Date: <b>January 14, 2021</b>
	Initiator: <b>Information Technology Department</b>
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 renew a sole source agreement for the annual software maintenance and support on various Oracle applications for a period of one year.
- 2.0 **DESCRIPTION/JUSTIFICATION:** The Authority has utilized Oracle technology and applications since 1995. Annual maintenance and support is required to maintain the Oracle Enterprise Business Suite – Financials, Procurement, and HR/Payroll applications, as well as the Oracle technical platform for other GCRTA applications. These applications include HASTUS, Ultramain, Kronos, Riskmaster and various Trapeze products. Oracle technology platform and applications are proprietary products designed exclusively by the Oracle Corporation.
- 3.0 **PROCUREMENT BACKGROUND:** This contract for maintenance and support services is exempt from competitive bidding as authorized under Section 306.43(H)(3) of the Ohio Revised Code. Oracle Corporation developed the Enterprise Business Suite on a proprietary basis and is the only source authorized to maintain the system. After negotiations, Oracle Corporation offered to provide maintenance and support for the various Oracle software products for a negotiated amount not to exceed \$388,132.99 for a one year period. The Information Technology Department reviewed the offer for adherence to technical scope.  
  
 The negotiated price is approximately 8% below the budget estimate. A price analysis has been 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 participation goal was established for this procurement because it is for the maintenance of proprietary software, which work is limited and exclusive to the original provider and installer by agreement.
- 5.0 **POLICY IMPACT:** Does not apply.
- 6.0 **ECONOMIC IMPACT:** The contract will be funded through the General Fund, Information Technology Department budget, in an amount not to exceed \$388,132.99 for a period of one year.

- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer would leave the Oracle software applications without adequate maintenance and support and jeopardize the functionality of critical Financial, Procurement and HR/Payroll systems vital to the organization.
- 8.0 RECOMMENDATION: It is recommended that the offer of Oracle Corporation be accepted and the resolution passed authorizing the General Manager, Chief Executive Officer 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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General Manager, Chief Executive Officer