

RESOLUTION NO. 2022-67

AUTHORIZING CONTRACT NO. 2022-75 WITH DELL MARKETING L.P. FOR THE FURNISHING OF A MICROSOFT ENTERPRISE LICENSE AGREEMENT THROUGH THE STATE OF OHIO, DEPARTMENT OF ADMINISTRATIVE SERVICES, COOPERATIVE PURCHASING PROGRAM, AS SPECIFIED, IN AMOUNTS NTE \$787,140.12 FOR YEAR ONE, \$895,096.92 FOR YEAR TWO, AND \$922,881.72 FOR YEAR THREE, FOR A TOTAL CONTRACT AMOUNT NTE \$2,605,118.76 FOR A THREE-YEAR PERIOD (GENERAL FUND, INNOVATION AND 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 L.P., located at One Dell Way, Round Rock, TX 78682, at amounts not to exceed \$787,140.12, for year one, \$895,096.92 for year two, and \$922,881.72 for year three, for a total contract amount not to exceed \$2,605,118.76 for a three-year period; 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 Section 410.03 of the Authority's Codified Rules and Regulations; and

WHEREAS, the General Manager, Chief Executive Officer deems it is in the best interest of the Authority to procure the Enterprise License Agreement from Dell Marketing L.P. 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 L.P. for furnishing a Microsoft Enterprise License Agreement for a period of three years 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 contract with Dell Marketing L.P. for furnishing a Microsoft Enterprise License Agreement for a period of three years.

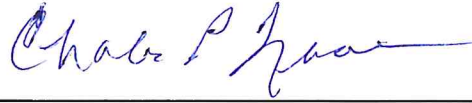
Section 3. That this procurement will be funded through the General Fund, Innovation and Technology Department budget, in amounts not to exceed \$787,140.12 for year one, \$895,096.92 for year two, and \$922,881.72 for year three, for a total contract amount not to exceed \$2,605,118.76 for the three-year period.

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; 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 Dell Marketing L.P. will attempt to exceed the 0% minimum DBE goal assigned to this procurement.

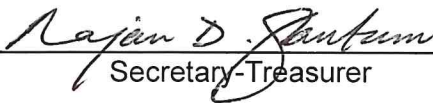
Section 6. That this resolution shall become effective immediately upon its adoption.

Adopted: July 26, 2022



President

Attest:



Secretary-Treasurer



TITLE/DESCRIPTION: CONTRACT: MICROSOFT ENTERPRISE LICENSE AGREEMENT FOR A PERIOD OF THREE YEARS VENDOR: DELL MARKETING L.P. AMOUNT: AMOUNT NTE \$787,140.12 FOR YEAR ONE, AMOUNT NTE \$895,096.92 FOR YEAR TWO, AMOUNT NTE \$922,881.72 FOR YEAR THREE, FOR A TOTAL AMOUNT NTE \$2,605,118.76	Resolution No.: 2022-67
	Date: July 21, 2022
	Initiator: Innovation and Technology Department
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 resolution will allow the Authority to enter 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 (3) 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 Enterprise License Agreement will renew the licenses obtained under the original agreement three years ago and the subsequent agreement from 2020.
- 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. Section 410.03 of the Authority’s Codified Rules and Regulations authorizes the General Manager, Chief Executive Officer to utilize the State of Ohio Cooperative Purchasing Program. The contract amount shall not exceed \$787,140.12, for year one, not exceed \$895,096.92 for year two, and not exceed \$922,881.72 for year three, for a total contract amount not to exceed \$2,605,118.76 for a period of three years.
- 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 will be funded through the General Fund, Innovation and Technology Department budget, in amounts not to exceed \$787,140.12, for year one, \$895,096.92 for year two, and \$922,881.72 for year three, for a total contract amount not to exceed \$2,605,118.76 for a period of three years.
- 7.0 **ALTERNATIVES:** Reject this offer. Rejection of this offer would leave our Microsoft products unlicensed, unsupported and would jeopardize the functionality of critical systems vital to the organization.
- 8.0 **RECOMMENDATION:** This procurement was discussed by the Board of Trustees at the July 12, 2022 Organizational Services & Performance Monitoring Committee meeting. It is recommended that the offer of Dell Marketing L.P. be accepted, and the resolution passed authorizing the General Manager, Chief Executive Officer to enter a contract.
- 9.0 **ATTACHMENTS:** None.

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.



General Manager, Chief Executive Officer