

# Mayor and Council Communication

**DATE:** 09/10/19

**M&C FILE NUMBER:** M&C 19-0123

**LOG NAME:** 04PDATA STORAGE SERVICES CC ITS

## **SUBJECT**

Authorize Purchase Agreements for Information Technology Storage Software, Hardware, Maintenance and Related Services with Netsync Network Solutions, Inc., for the Information Technology Solutions Department Using Cooperative Agreements in an Amount Up to \$650,000.00 for One Term and One One-Year Option to Renew (ALL COUNCIL DISTRICTS)

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## **RECOMMENDATION:**

It is recommended that the City Council authorize Purchase Agreements for Information Technology storage software, hardware, maintenance and related services with Netsync Network Solutions, Inc. using Texas Department of Information Resources contract DIR-TSO-4299 in an amount up to \$650,000.00 for one term and authorize one one-year option to renew.

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## **DISCUSSION:**

The Information Technology Solutions (ITS) Department will utilize this Agreement to purchase information technology storage related software, hardware, maintenance and related professional services for the Police Department and other City departments. This supports growth and maintenance of the existing City data storage.

**COOPERATIVE PURCHASE:** State Law provides that a local government purchasing an item under a Cooperative Purchasing Agreement satisfies state laws requiring that the local government seek competitive bids for purchase of the item. The Texas Department of Information Resources (DIR) contracts have been competitively bid to increase and simplify the purchasing power of government entities across the State of Texas.

**PRICE ANALYSIS:** The DIR contract offers fixed discounts. Staff reviewed pricing and determined it to be fair and reasonable.

**M/WBE:** A MBE/SBE goal is not assigned when purchasing from an approved purchasing cooperative or public entity.

**SUCCESSOR CONTRACTS:** To facilitate planning and budgeting Staff would prefer to have annual Agreements that align with the Fiscal year. However, the DIR Agreements are out of alignment with the City's Fiscal Year and the current term for DIR-TSO-4299 will expire December 17, 2020. In order for this purchase to align with the City's Fiscal Year, adoption of this Mayor and Council Communication (M&C) technically authorizes (i) a series of Purchase Agreements, each of which will align to a term of the DIR Agreement to ensure legal authority exists for the contract, and (ii) an annual spend amount, future years of which would be subject to City Council appropriation. In the event the DIR Agreement is not renewed, Staff would cease purchasing at the end of the last purchase Agreement coinciding with a valid DIR Agreement. If the City Council were to not appropriate funds for a future year, Staff would stop making purchases when the last appropriation expires, regardless of whether the then-current purchase Agreement has expired.

**AGREEMENT TERM:** Upon City Council's approval, this Agreement will commence and continue in accordance with the terms and conditions of DIR contract DIR-TSO-4299.

Terms are as follows:

Year 1 – August 13, 2019 - December 17, 2019

Year 2 - December 18, 2019 - December 17, 2020

**RENEWAL OPTIONS:** This Agreement may be renewed for one additional one-term at the City's option. This action does not require specific City Council approval provided that the City Council has appropriated sufficient funds to satisfy the City's obligations during the renewal term. Staff anticipates the cost for renewal years will be the same as for the first year.

**ADMINISTRATIVE CHANGE ORDER:** An administrative change order or increase may be made by the City Manager for an amount up to \$100,000.00 and does not require specific City Council approval as long as sufficient funds have been appropriated.

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## **FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are available in the current operating and capital budgets, as appropriated, of the General Fund, Crime Control and Prevention District Fund, and the ITS Capital Fund. The Information Technology Solutions Department has the responsibility to validate the availability of funds prior to the expenditure of funds.

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