

City of Fort Worth, Texas

Mayor and Council Communication

DATE: 02/22/22 M&C FILE NUMBER: M&C 22-0106

LOG NAME: 06OPEN COUNTER SOFTWARE RENEWALS

SUBJECT

(ALL) Adopt Attached Appropriation Ordinance in the Amount of \$453,492.00 to Fund the Six Annual Renewals of the 2020 Carahsoft Technology Corporation Open Counter Software Contract for the Development Services Department

RECOMMENDATION:

It is recommended that the City Council adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Special Purpose Fund in the amount of \$453,492.00, from available funds, for the purpose of funding the six annual renewals of the 2020 Carahsoft Technology Corporation Open Counter Software Contract in the Developer Tech Improvements project (City Project No. S00164).

DISCUSSION:

This Mayor and Council Communication (M&C) is to appropriate additional funds in the Special Purpose Fund for the six annual renewals of the 2020 Carahsoft Technology Corporation Open Counter Software Contract.

On August 4, 2020, M&C 20-0487, the City Council authorized the execution of a contract in the amount of \$189,050.54 with six annual renewals each in an amount up to \$75,582.00, for the 2020 Carahsoft Technology Corporation Open Counter Software Contract (City Secretary Contract No. 54340). The M&C authorized the six annual renewals each in an amount up to \$75,582.00 but did not specifically appropriate the funding for the six renewals.

The City and the vendor desire to exercise the six annual renewals of the contract in the amount of \$453,492.00.

The Open Counter software system allows citizens access to information regarding the requirements and necessary steps to obtain permits, zoning, payment of fees and various other needs. The software eliminates the need to speak with multiple departments, where information and requirements can become confusing and overwhelming.

Annual maintenance/subscription costs are as follows:

- \$75,582.00 = Subscription Year 2 - 2021
- \$75,582.00 = Subscription Year 3 - 2022
- \$75,582.00 = Subscription Year 4 - 2023
- \$75,582.00 = Subscription Year 5 - 2024
- \$75,582.00 = Subscription Year 6 - 2025
- \$75,582.00 = Subscription Year 7 - 2026
- \$453,492.00 = Total Costs of the Six Annual Renewals

FUND	Existing Appropriations	Additional Appropriations	Project Total
Special Purpose Fund - 25002 Project: S00164 - Developer Tech Improvements	\$185,000.00	\$453,492.00	\$638,492.00

The Developer Tech Improvements project was created to capture the technology fee charged by the Development Services Department to purchase technology to support and improve the development process. The fees in this fund can only be spent for this purpose. This M&C authorizes the appropriation of the funds for the six renewals now that the technology fees have accumulated sufficiently to pay the entirety of the contract.

Funding for this life-to-date operating project was not included in the FY2022 Adopted Budget due to the fact that the funds are appropriated when needed and not annually. Per this M&C, the FY2022 Adopted Budget is as follows:

Fund / Department	FY2022 Adopted Budget	Budget Adjustment	Revised FY2022 Budget
Budget Category			
Special Purpose Fund			
Revenues			

Development Fee	\$ -	\$ 453,492.00	\$ 453,492.00
Total Revenues	\$ -	\$ 453,492.00	\$ 453,492.00
Expenditures			
Development Services	\$ -	\$ 453,492.00	\$ 453,492.00
Total Expenditures	\$ -	\$ 453,492.00	\$ 453,492.00

The National Cooperative Purchasing Alliance Cooperative (NCPA) Contract No. 01-86 offers discounted pricing. Staff has reviewed the pricing and determined it to be fair and reasonable.

COOPERATIVE PURCHASE state law provides that a local government purchasing an item under a cooperative purchasing Agreement satisfies any state law requiring that the local government seek competitive bids for the purchase of items. NCPA Contracts are competitively bid to increase and simplify the purchasing power of government entities.

SUCCESSOR CONTRACTS: In the event that a Cooperative Agreement is not renewed, Staff would cease making purchases at the end of the last Purchase Agreement coinciding with the valid Cooperative Agreement. If the City Council were to not appropriate funds for a future year, Staff would cease making purchases when the last appropriation expires, regardless of whether the then-current Purchase Agreement has expired. If the cooperative contract is extended, this M&C authorizes the City to purchase similar software and services under the extended contracts. If the cooperative contract is not extended, but a new cooperative contract is executed with Carahsoft Technology Corporation with substantially similar terms as the previous cooperative contract, this M&C authorizes the City to purchase the services under the new cooperative contract.

A MBW/SBE goal is not assigned when purchasing from an approved purchasing cooperative or public entity.

An administrative change order or increase may be made by the City Manager up to the amount allowed by relevant law and the Fort Worth City Code and does not require specific City Council approval as long as sufficient funds have been appropriated.

Funding is available for appropriation in the Special Purpose Fund for the Developer Tech Improvement project.

AGREEMENT TERM - The agreement may be renewed for additional terms according to the NCPA Contract No. 01-86 cooperative agreement at the City's options to renew. 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.

RENEWAL OPTIONS - This agreement may be renewed for up to five one-year renewal terms 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.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the Special Purpose Fund and upon approval of the above recommendation and adoption of the attached appropriation ordinance, funds will be available in the Special Purpose Fund for the Developer Tech Improvements project to support the approval of the above recommendation. Prior to any expenditure being incurred, the Development Services Department has the responsibility to validate the availability of funds.

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Expedited