

**Waiver of Finance & Personnel Committee Approval
For Single / Sole Source Contract
Contract #E9123 Amendment 2**

Background:

User Department:	Police
Contract Description:	Vendor Service Contract for Phone System 24/7 "Remote-Only" Support
Vendor Name and Location:	Avaya, Inc. (New York, NY)
Contract Term:	Four (4) years from April 29, 2009 through April 28, 2013
Original Contract Amount:	\$352,787.52
Current Contract Amount:	\$1,230,174.52

If Amendment, History of Contract Amendments:

Date	Item	Term	Cost
3/4/2010	Added the Department of Public Works (DPW) as a user of this contract commencing April 15, 2010 at a cost of \$877,387.00, increasing the estimated contract total to \$1,230,174.52.	April 29, 2009 through April 28, 2013	\$877,387.00
Pending	Increase the estimated contract total by \$100,000.00 from \$1,230,174.52 to \$1,330,174.52 to cover an outstanding invoice and any unforeseen expenses during the remainder of the contract, which is effective through April 28, 2013.	April 29, 2009 through April 28, 2013	\$100,000.00
Total (including the pending amendment)			\$1,330,174.52

Purpose of Contract/Amendment: Increase the estimated contract total by \$100,000.00 from \$1,230,174.52 to \$1,330,174.52 to cover an outstanding invoice and any unforeseen expenses during the remainder of the contract, which is effective through April 28, 2013. As of February 7, 2013, only \$11,686.46, or 0.95%, of the \$1,230,174.52 estimated contract total remains available on the contract, which is insufficient to cover the outstanding invoice and anticipated expenditures during the remainder of the contract.

Justification for Waiver: The Police Department initiated this Sole Source Contract in 2009, when Avaya was the only source of this proprietary support; the original contract is effective through April 28, 2013, and the increase in the estimated contract total is necessary to cover an existing outstanding invoice and anticipated expenditures during the remainder of the contract.

The Police Department and ITMD (which now oversees the portion of the contract originally utilized by DPW) are researching the feasibility of bidding these services out to replace this contract when it expires.

For these reasons, Finance and Personnel Committee approval is waived.

Ann-Elizabeth Snopce
Purchasing Agent

2/12/2013
Date

[Signature]
City Purchasing Director

2/20/2013
Date