

**Department of Administration
Purchasing Division**

**Waiver of Finance & Personnel Committee Approval
For Sole Source Contract
Contract #E11244**

Background:

User Department:	City-Wide
Purchasing Agent:	Catina Slocum
Contract Description:	VSC for Bentley-Related CAD Design Upgrades, Support and Maintenance Products and Services
Vendor Name and Location:	Bentley Systems, Inc. (Exton, PA)
Contract Term:	01/01/2012 through 12/31/2014 with annual options to extend by mutual consent
Requisition # and Date Received:	Requisition #14478, Received 2/16/2016
Original Contract Amount:	\$350,000.00
Expenditures to Date:	\$425,433.64
Current Contract Amount:	\$450,000.00

If Amendment, History of Contract Amendments:

Date	Item	Term	Cost
03/05/2012	Original Contract E11244 – Vendor Service Contract for Bentley-Related Upgrades, Support, and Maintenance Products and Services	01/01/2012 through 12/31/2014 with annual options to extend	\$350,000.00
10/29/2014	Amendment #1: Increased the estimated contract total by \$20,000.00 from \$350,000.00 to \$370,000.00 and extended the contract term one (1) year from 01/01/2015 through 12/31/2015. Waiver presented at F&P Committee Meeting on 10/29/2014	01/01/2015 through 12/31/2015	\$20,000.00
2/18/2015	Amendment #2: Increase the estimated contract total by \$30,000.00 from \$370,000.00 to \$400,000.00 to ensure adequate funding through the term of the contract. Waiver presented at F&P Committee Meeting on 2/25/2015	N/A	\$30,000.00
9/15/2015	Amendment #3: Increase the estimated contract total by \$50,000.00 from \$400,000.00 to \$450,000.00 and extend the contract term one (1) year from 01/01/2016 through 12/31/2016. Waiver presented at F&P Committee Meeting on 10/7/2015	01/01/2016 through 12/31/2016	\$50,000.00
Pending	Amendment #4: Increase the estimated contract total by \$75,000.00 from \$450,000.00 to \$525,000.00 to ensure adequate funding through the term of the contract.	N/A	\$75,000.00
Total (including the pending amendment)			\$525,000.00

Purpose of Contract/Amendment:

The purpose of this amendment is to continue to provide ongoing upgrades, annual support, hardware, software and maintenance services for Bentley Systems, Inc. CAD Design System, MicroStation and LEAP Bridge Precast, ProjectWise and InRoads Software Subscriptions. This amendment will increase the estimated contract total by \$75,000.00 from \$450,000.00 to \$525,000.00 to ensure adequate funding through the term of the contract, which currently expires 12/31/2016.

Justification for Waiver:

In 2012, a request for an exception to the City's bidding process was recommended to award Bentley Systems Inc. a City-Wide Vendor Service Contract for the upgrades, support, hardware, software and maintenance of the CAD Design System, MicroStation and LEAP Bridge Precast, ProjectWise and InRoads Software Subscriptions on a sole-source basis. This software is utilized by the

Information Technology Management Division (ITMD), various departments within the Department of Public Works (DPW), the Department of Neighborhood Services (DNS), the Milwaukee Metropolitan Sewerage District (MMSD) and the Port of Milwaukee.

The software is proprietary and can only be purchased, upgraded, supported and maintained by the manufacturer, Bentley Systems, Inc. The manufacturer does not allow their distributors to provide services in this region of the country. For this reason, Finance and Personnel Committee approval is waived.



City Purchasing Director

3-16-2016
Date

F&P Waiver Presentation Date: 3/23/2016

**Department of Administration
Purchasing Division**

**Waiver of Finance & Personnel Committee Approval
For Sole Source Contract
Contract #E13078**

Background:

User Department:	ITMD
Purchasing Agent:	Mason Lavey
Contract Description:	Vendor Service Contract for CityWatch Annual Maintenance
Vendor Name and Location:	ECN Holdings Company, LLC. (Ormond Beach, FL)
Contract Term:	12/01/2013 to 11/30/2014 with the option to extend annually by mutual agreement.
Requisition # and Date Received:	14379 / 12-17-2015
Original Contract Amount:	\$ 7,719.70
Expenditures to Date:	\$15,825.39
Current Contract Amount:	\$24,336.36

If Amendment, History of Contract Amendments:

Date	Item	Term	Cost
01/01/2014	Original Contract E13078 - Vendor Service Contract for CityWatch Annual Maintenance.	01/01/2014 to 12/31/2014	\$7,719.70
12/22/2014	Amendment #1: Increase the estimated contract total by \$8,105.69 from \$7,719.70 to \$15,825.39 and extend the contract for one (1) year from 01/01/2015 to 12/31/2015, exercising the annual option to extend for one (1) year upon mutual agreement.	01/01/2015 to 12/31/2015	\$8,105.69
10/03/2014	Amendment #2: Increase the estimated contract total by \$8,510.97 from \$15,825.39 to \$24,336.36 and extend the contract for one (1) year from 01/01/2016 to 12/31/2016, exercising the annual option to extend for one (1) year upon mutual agreement.	01/01/2017 to 12/31/2016	\$8,510.97
Pending	Amendment #3: Increase the estimated contract total by \$45,022.27 from \$24,336.36 to \$69,358.63 and extend the contract for four (4) years from 01/01/2017 to 12/31/2020 in accordance with ECN Holdings Company, LLC. Maintenance Agreement and Proposal dated December 16, 2015.	01/01/2017 to 12/31/2020	\$45,022.27
Total (including the pending amendment)			\$69,358.63

Purpose of Amendment: The purpose of this amendment is to extend the Maintenance Agreement with ECN Holdings Company, LLC. and update the CityWatch notification system. This amendment will increase the estimated contract total by \$45,022.27 from \$24,336.36 to \$69,358.63 and extend the contract for four (4) years from 01/01/2017 to 12/31/2020 at an annual cost of \$9,100.00 (graduated 5% annually) in accordance with ECN Holdings Company, LLC. Maintenance Agreement and Proposal dated December 16, 2015.

ECN Holdings Company, LLC. cannot fully service the CityWatch notification system due to outdated Microsoft Software owned by the City of Milwaukee. As part of the Customer Service Agreement, ECN Holdings Company, LLC. agrees to update, as needed, with a "one-time" system set-up and data transfer fee of \$2,500.00 and a \$750.00 additional port license fee.

ECN Holdings Company, LLC. provided a proposal in 2014 for a complete CityWatch upgrade including hardware and software at an estimated cost of \$37,155.00. In addition to the initial costs, ITMD would be responsible for the annual maintenance fee of \$8,510.97.

The five (5) year Customer Service Agreement proposed by ECN Holdings Company, LLC. with an "Effective Date" of 01/01/2016 allows ITMD to avoid the additional costs associated with a complete upgrade (\$37,155.00) while only incurring the necessary costs to transfer data (\$2,500.00) and add a port License (\$750.00).

2016 cost breakdown is as follows:

CSA (5-Year) Annual:	\$589.03	*Remaining less credits previously paid (\$8,510.97).
2016 Maintenance Cost:	\$8,510.97	**Approved on change order two (2)
Data Transfer:	\$2,500.00	
Port License Fee:	\$750.00	

Total: \$12,350.00

2017-2020 cost breakdown is as follows:

2017 CSA (5-Year) Annual:	\$9,100.00
5% Increase:	\$455.00

Total: \$9,555.00

2018 CSA (5-Year) Annual:	\$9,555.00
5% Increase:	\$477.75

Total: \$10,032.75

2019 CSA (5-Year) Annual:	\$10,032.75
5% Increase:	\$501.64

Total: \$10,534.39

2020 CSA (5-Year) Annual:	\$10,534.39
5% Increase:	\$526.72

Total: \$11,061.11

Amendment #3 costs are as follows:

CSA 5-Year (2016-2020):	\$53,533.24
Less Credit previously paid:	(\$8,510.97)

Total: \$45,022.27

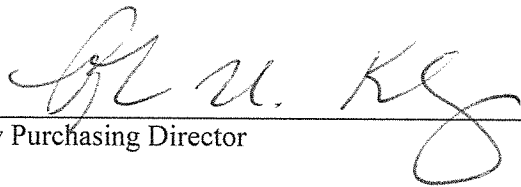
2014-2016 Maintenance Cost:	\$24,336.36
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Grand Total: \$69,358.63

Justification for Waiver: In 2014, ITMD requested to dispense with the City's competitive bid process to enter into a Sole-Source Exception to Bid Vendor Service Contract for CityWatch Annual Maintenance with ECN Holdings Company, LLC. for a period of one (1) year from 12/01/2013 to 01/01/2014 with the option to extend annually, and an estimated contract total of \$7,469.70. ECN Holdings Company, LLC. is the only software developer and distributor of the CityWatch System that was originally purchased in 2014.

CityWatch is an outbound and inbound notification system that allows Law Enforcement, Emergency Management, Public Health, and Public Utilities users to quickly, accurately and automatically send informational messages to thousands of contacts. Currently, CityWatch is used by several City Departments, including the Milwaukee Police Department, Health Department, Department of Public Works, and the Port of Milwaukee. The CityWatch System and accompanying software products are proprietary and require regular maintenance by ECN Holdings Company, LLC.

For this reason, Finance and Personnel Committee approval is waived.



City Purchasing Director

3-16-2016

Date

F&P Waiver Presentation Date: March 23, 2016

**Department of Administration
Purchasing Division**

**Waiver of Finance & Personnel Committee Approval
For Sole Source Contract
Contract #E0000013857**

Background:

User Department:	Milwaukee Police Department (“MPD”)
Purchasing Agent:	Karen Jeffries, CPPB
Contract Description:	VSC for DP3, RCM and Atlas Software Maintenance, Support and Warranty
Vendor Name and Location:	Utility Associates, Inc., (Decatur, GA)
Contract Term:	4/1/2015 – 3/31/2016 with Three (3) One-Year Options to Extend Upon Mutual Consent
Requisition # and Date Received:	0000014504, 2/17/2016
Original Contract Amount:	\$108,825.75
Expenditures to Date:	\$108,825.75
Current Contract Amount:	\$108,825.75

If Amendment, History of Contract Amendments:

Date	Item	Term	Cost
4/30/2015	Original Contract E13857 – DP3, RCM and Atlas Software Maintenance, Support and Warranty Waiver presented to F&P Committee on 5/6/2015	4/1/2015 – 3/31/2016 with Three (3) One-Year Options to Extend	\$108,825.75
Pending	Amendment No. 1: Extend the contract for one year from 4/1/2016 – 3/31/2017, exercising the first (1 st) of three (3) allowable options to extend and increase the estimated contract total by \$74,970.00 from \$108,825.75 to \$183,795.75.	4/1/2016 – 3/31/2017	\$74,970.00
Total (including the pending amendment)			\$183,795.75

Purpose of Amendment:

This represents the first (1st) amendment request by the MPD to the original contract amount of \$108,825.75. This amendment seeks to extend the contract for one year from 4/1/2016 through 3/31/2017, exercising the first (1st) of three (3) allowable options to extend and increase the contract total by \$74,970.00 from \$108,825.75 to \$183,795.75 to cover ongoing services during the extension.

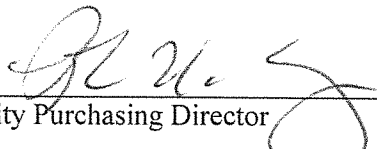
Justification for Waiver:

The DP3 DVR (Digital Video Recorder) is a rugged, industrial grade, sealed and waterproof video recording unit providing Police Officers with In-Car Video capabilities to capture Video and Audio from within a Police Vehicle.

The software, Remote Configuration Management and Atlas, Video Portal Software and Atlas Warranty allows the Police Department to manage captured videos for the purpose of playback, creating digital evidence for prosecution, and the ability to remotely access In-Car Video from remote locations for command review and real-time monitoring of police incidents.

The vendor, Utility Associates, Inc., provides direct sales and support and does not resell hardware or software through other service providers and all of the hardware and software is proprietary to Utility Associates, Inc. so no other service provider can supply the hardware, software or service as it relates to the DP3 System. The City's DP3 units were originally procured from Digital Safety Technologies (Raleigh, NC); Utility Associates, Inc. acquired Digital Safety Technologies in early 2013.

The DP3 units to be supported by this contract were procured under Contract E12256. The Common Council passed a resolution on 11/27/2012 (Reference File Number 121131) reserving funding from the 2012 Common Council Contingent fund for expenditures by the Police Department relating to the purchase and installation of DVR replacement equipment.



City Purchasing Director

3-16-2016
Date

F&P Waiver Presentation Date: 3/23/2016

**Department of Administration
Purchasing Division**

**Waiver of Finance & Personnel Committee Approval
For Sole Source Contract
Contract #E11889**

Background:

User Department:	Water
Purchasing Agent:	Tykesha J. White
Contract Description:	Annual Maintenance of Automated Meter Reading System
Vendor Name and Location:	Itron, Inc. (Dallas, TX)
Contract Term:	5/1/2012 – 4/30/2013 with the option to extend annually upon mutual consent
Requisition # and Date Received:	14558, 3/9/2016
Original Contract Amount:	\$35,186.20
Expenditures to Date:	\$103,470.44
Current Contract Amount:	\$139,589.00

Purpose of Amendment:

This represents the fourth (4th) amendment request to the original contract amount of \$35,186.20. This amendment extends the contract one year, from 5/1/2016 through 4/30/2017, exercising the fourth (4th) option to extend, and increases the estimated contract total by \$45,314.11 from \$139,589.00 to \$184,903.11 to cover maintenance during the contract extension.

Justification for Waiver:

The Milwaukee Water Works has, for over 16 years, been using the Automated Meter Reading System manufactured by Itron to obtain water meter readings for billing. The equipment used in this system is proprietary and the annual contract is needed to cover all maintenance and system upgrades.

For this reason, Finance and Personnel Committee approval is waived.



City Purchasing Director

3-16-2016
Date

F&P Waiver Presentation Date: 3/23/2016

Background of Contract Amendments:

Background of Contract Amendments continued

Date	Description	Term	Cost
6/28/2012	Original Contract E11889 – Annual Maintenance of Automated Meter Reading System	5/1/2012 – 4/30/2013 with the option to extend annually upon mutual consent	\$35,186.20
7/19/2013	Amendment #1 – Extended the contract from 5/1/2013 through 4/30/2014, exercising the first (1 st) option to extend and increased the estimated contract total by \$35,186.20 from \$35,186.20 to \$70,372.40 to cover expenses during the contract extension. F&P Approval waived 7/19/2013	5/1/2013 – 4/30/2014	\$35,186.20
4/16/2014	Amendment #2– Extended the contract from 5/1/2014 through 4/30/2015, exercising the second (2 nd) option to extend and increased the estimated contract total by \$35,186.20 from \$70,372.40 to \$105,558.60 to cover expenses during the contract extension. F&P Approval granted 4/16/2014	5/1/2014 – 4/30/2015	\$35,186.20
5/14/2015	Amendment #3– Extended the contract from 5/1/2015 through 4/30/2016, exercising the third (3 rd) option to extend and increased the estimated contract total by \$34,030.40 from \$105,558.60 to \$139,589.00 to cover expenses during the contract extension F&P Approval waived 5/29/2015	5/1/2015 – 4/30/2016	\$34,030.40
Pending Request	Amendment #4– Extended the contract from 5/1/2015 through 4/30/2017, exercising the fourth (4 th) option to extend and increase the estimated contract total by \$45,314.11 from \$139,589.00 to \$184,903.11 to cover expenses during the contract extension	5/1/2016 – 4/30/2017	\$45,314.11
Total (including the pending amendment #4)			\$184,903.11