

**Department of Administration
Purchasing Division**

**Waiver of Finance & Personnel Committee Approval
For Sole Source Contract
Contract #E0000011244**

Background:

User Department:	City-Wide
Purchasing Agent:	Kathleen Slater
Contract Description:	VSC for the Upgrade, Support and Maintenance of Bentley Products and Select Program Benefits
Vendor Name and Location:	Bentley Systems, Incorporated (Exton, PA)
Contract Term:	01/01/2012 - 12/31/2014 with annual options to extend by mutual consent
Requisition # & Date Received:	Requisition #0000019228, Received 10/19/2022
Original Contract Amount:	\$350,000.00
Expenditures to Date:	\$1,197,166.28
Current Contract Amount:	\$1,265,265.23

History of Contract Amendments:

Date	Item	Term	Cost
03/05/2012	Original Contract E11244 -- Vendor Service Contract for the Upgrade, Support, and Maintenance of Bentley Products and Select Program Benefits	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 for 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
02/25/2015	Amendment #2: Increased the estimated contract total by \$30,000.00 from \$370,000.00 to \$400,000.00. Waiver presented at F&P Committee Meeting on 02/25/2015.	N/A	\$30,000.00
10/07/2015	Amendment #3: Increased the estimated contract total by \$50,000.00 from \$400,000.00 to \$450,000.00 and extended the contract term one (1) year, from 01/01/2016 through 12/31/2016. Waiver presented at F&P Committee Meeting on 10/07/2015.	01/01/2016 through 12/31/2016	\$50,000.00
03/23/2016	Amendment #4: Increased the estimated contract total by \$75,000.00 from \$450,000.00 to \$525,000.00. Waiver presented at F&P Committee Meeting on 03/23/2016.	N/A	\$75,000.00
11/14/2016	Amendment #5: Increased the estimated contract total by \$100,000.00 from \$525,000.00 to \$625,000.00 and extended the contract term one (1) year, from 01/01/2017 through 12/31/2017. Waiver presented at F&P Committee Meeting on 11/14/2016.	01/01/2017 through 12/31/2017	\$100,000.00
04/12/2017	Amendment #6: Increased the estimated contract total by \$30,000.00 from \$625,000.00 to \$655,000.00. Waiver presented at F&P Committee Meeting on 04/12/2017.	N/A	\$30,000.00
01/31/2018	Amendment #7: Increased the estimated contract total by \$50,000.00 from \$655,000.00 to \$705,000.00 and extended the contract term one for (1) year, from 01/01/2018 through 12/31/2018. Waiver presented at F&P Committee Meeting on 01/31/2018.	01/01/2018 through 12/31/2018	\$50,000.00

12/12/2018	Amendment #8: Increased the estimated contract total by \$150,000.00 from \$705,000.00 to \$855,000.00 and extended the contract term for one (1) year, from 01/01/2019 through 12/31/2019. Waiver presented at F&P Committee Meeting on 12/12/2018.	01/01/2019 through 12/31/2019	\$150,000.00
03/20/2019	Amendment #9: Increased the estimated contract total by \$102,000.00 from \$855,000.00 to \$957,000.00. Waiver presented at F&P Committee Meeting on 03/20/2019.	N/A	\$102,000.00
N/A	Amendment #10: Extended the contract term for one (1) year, from 01/01/2020 through 12/31/2020. This amendment did not require F&P Committee Meeting.	01/01/2020 through 12/31/2020	N/A
01/15/2020	Amendment #11: Increased the estimated contract total for \$27,743.28, from \$957,000.00 to \$984,743.28. Waiver presented at F&P Committee Meeting on 01/15/2020.	N/A	\$27,743.28
01/13/2021	Amendment #12: Increased the estimated contract total by \$138,242.55 from \$984,743.28 to \$1,122,985.83 and extended the contract term for one (1) year, from 01/01/2021 through 12/31/2021. Waiver presented at F&P Committee Meeting on 01/13/2021.	01/01/2021 through 12/31/2021	\$138,242.55
11/11/2021	Amendment #13: Increased the estimated contract total by \$142,279.40 from \$1,122,985.83 to \$1,265,265.23 and extended the contract term for one (1) year from 01/01/2022 through 12/31/2022. Waiver presented at F&P Committee Meeting on 11/11/2021.	01/01/2022 through 12/31/2022	\$142,279.40
N/A	Amendment #14: Extended the contract term by one (1) year, from 01/01/2023 through 12/31/2023. This amendment did not require F&P Committee Meeting.	01/01/2023 through 12/31/2023	N/A
Pending	Amendment #15: Increase the estimated contract total by \$90,000.00 from \$1,265,265.23 to \$1,355,265.23.	N/A	\$90,000.00
Total (including the pending amendment)			\$1,355,265.23

Purpose of Amendment:

The purpose of this amendment is to increase the estimated contract total by \$90,000.00 from \$1,265,265.23 to \$1,355,265.23 to continue to provide the Upgrade, Support and Maintenance of Bentley Products and Select Program Benefits with Bentley Systems, Incorporated to various city departments. This will ensure the continuity of service.

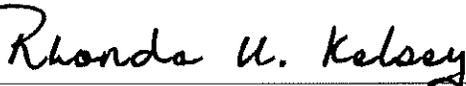
Justification for Waiver:

In 2012, a request for an exception to the City's bidding process was recommended to award Bentley Systems, Incorporated a City-Wide Vendor Service Contract for the Upgrades, Support, Hardware, Software, and Maintenance of the CAD Design System, MicroStation, 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, Incorporated. The manufacturer does not allow their distributors to provide services in this region of the country.

For this reason and in accordance with City of Milwaukee Charter 16-05-4a, Finance and Personal Committee approval is waived for services by the Common Council.

DocuSigned by:



City Purchasing Director
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10/31/2022

Date

F & P Waiver Presentation Date: 11/15/2022



Advancing Infrastructure

14 October 2022

City of Milwaukee/DOA-ITMD
Information Technology Mgt./GIS
Tammy Bronson
809 N Broadway, Suite 400
MILWAUKEE WI 53202-3617
USA
Tel No:

Renewal Quote

EXHIBIT 1

SELECT Agreement: 10399344
RQ Number: 41720874
Customer ID: 4019340
Expiration Date: 02 December 2022
Pages: 1 / 6

Dear Sir/Madam,

Our records show that your current Bentley SELECT Agreement is due for renewal on 01 January 2023. We are very pleased that you have chosen Bentley as your technology partner and trust you have enjoyed the benefits of the program. We look forward to strengthening our relationship with your organization and continuing to sustain the productivity of your people, software and information.

Subscription Period: 01 January 2023 - 31 December 2023
Billing Frequency: Annual
Payment Terms: Net 30 Days

Renewal Total Value: 157,447.94**
Currency: USD

- Please bill against PO # _____
- Purchase Order is not required. We will accept Bentley's invoice on the basis of this signed quote.

(Subscriber's Signature)

(Subscriber's Name)

(Title)

(Date)

If you would like us to bill this quote against a Purchase Order, please indicate the purchase order number above and attach a copy with your acceptance of this quote. Any additional or different terms or conditions appearing on your purchase order, even if Bentley acknowledges such terms and conditions, shall not be binding on the parties unless both parties agree in a separate written agreement.

**Prices shown on this quotation are excluding taxes. Applicable taxes will be included on invoices.



Renewal Quote

SELECT Agreement: 10399344
 RQ Number: 41720874
 Customer ID: 4019340
 Expiration Date: 02 December 2022
 Pages: 2 / 6

Bill-to: City of Milwaukee/Port of Milwaukee
 Larry Sullivan, Chief Harbor Engineer
 2323 S. Lincoln Memorial Dr.
 MILWAUKEE WI 53207-1054
 USA

Tel No:
 Fax No:

Site: 1003270415 City of Milwaukee/Port of Milwaukee , 2323 S. Lincoln Memorial Dr. MILWAUKEE , WI 53207-1054 , USA

Part No	Description	Quantity	Unit Pricing	Discount/ Surcharge	Total
1003	MicroStation SELECT Subscription	3	1,299.00	-181.86	3,351.42
Amount Due:					3,351.42
Currency					USD

Bill-to: City of Milwaukee/DOA-ITMD
 Information Technology Mgt./GIS
 Tammy Bronson
 809 N Broadway, Suite 400
 MILWAUKEE WI 53202-3617
 USA

Tel No:
 Fax No:

Site: 0004019340 City of Milwaukee/DOA-ITMD , 809 N Broadway, Suite 400 MILWAUKEE , WI 53202-3617 , USA

Part No	Description	Quantity	Unit Pricing	Discount/ Surcharge	Total
1949	ProjectWise InterPlot Server SELECT Sub	1	2,706.00	-378.84	2,327.16
1570	D* Bentley InterPlot Server SELECT Sub	1	0.00		0.00
1003	MicroStation SELECT Subscription	5	1,299.00	-181.86	5,585.70
Amount Due:					7,912.86
Currency					USD



Renewal Quote

SELECT Agreement: 10399344
 RQ Number: 41720874
 Customer ID: 4019340
 Expiration Date: 02 December 2022
 Pages: 3 / 6

Bill-to: City of Milwaukee/DPW-Water
 James Zimmer
 841 N Broadway, Room 408
 MILWAUKEE WI 53202-3613
 USA

Tel No: +1 (414) 285-5540-2035
 Fax No:

Site: 0004022318 City of Milwaukee/DPW-Water , 841 N Broadway, Room 408 MILWAUKEE , WI 53202-3613 , USA

Part No	Description	Quantity	Unit Pricing	Discount/ Surcharge	Total
12635	Promis.e SELECT Subscription	1	1,991.00	-278.74	1,712.26
9720	D* promis.e Prof. Stand Alone SELECT Sub	1	0.00		0.00
1003	MicroStation SELECT Subscription	28	1,299.00	-181.86	31,279.92
Amount Due:					32,992.18
Currency					USD

Bill-to: City of Milwaukee/DOA-ITMD
 Information Technology Mgt./GIS
 Tammy Bronson
 809 N Broadway, Suite 400
 MILWAUKEE WI 53202-3617
 USA

Tel No:
 Fax No:

Site: 0004044456 City of Milwaukee/DPW-Infrastructure , 809 N Broadway, Suite 400 MILWAUKEE , WI 53202-3617 , USA

Part No	Description	Quantity	Unit Pricing	Discount/ Surcharge	Total
1003	MicroStation SELECT Subscription	66	1,299.00	-181.86	73,731.24
1013	Bentley Descartes for MS SELECT Sub	3	761.00	-106.54	1,963.38
13295	OpenBridge Designer SELECT Subscription	1	4,706.00	-658.84	4,047.16
Amount Due:					79,741.78
Currency					USD



Renewal Quote

SELECT Agreement: 10399344
 RQ Number: 41720874
 Customer ID: 4019340
 Expiration Date: 02 December 2022
 Pages: 4 / 6

Bill-to: City of Milwaukee/DPW-Sewers
 Kurt Sprangers
 841 N Broadway, Room 820
 MILWAUKEE WI 53202-3640
 USA

Tel No: +1 (414) 286-0515
 Fax No:

Site: 0004044458 City of Milwaukee/DPW-Sewers , 841 N Broadway, Room 820 MILWAUKEE , WI 53202-3640 , USA

Part No	Description	Quantity	Unit Pricing	Discount/ Surcharge	Total
1565	ProjectWise InterPlot Driver Pack Sub	1	1,116.00	-156.24	959.76
1003	MicroStation SELECT Subscription	25	1,299.00	-181.86	27,928.50
1949	ProjectWise InterPlot Server SELECT Sub	1	2,706.00	-378.84	2,327.16
Amount Due:					31,215.42
Currency					USD

Bill-to: City of Milwaukee/DOA-ITMD
 Information Technology Mgt./GIS
 Tammy Bronson
 809 N Broadway, Suite 400
 MILWAUKEE WI 53202-3617
 USA

Tel No:
 Fax No:

Site: 0004044459 City of Milwaukee/DPW-Forestry , 841 N Broadway, Room 619 MILWAUKEE , WI 53202-3613 , USA

Part No	Description	Quantity	Unit Pricing	Discount/ Surcharge	Total
1003	MicroStation SELECT Subscription	1	1,299.00	-181.86	1,117.14
Amount Due:					1,117.14
Currency					USD

Renewal Quote

SELECT Agreement: 10399344
 RQ Number: 41720874
 Customer ID: 4019340
 Expiration Date: 02 December 2022
 Pages: 5 / 6

Site: 0004094193 City of Milwaukee/DNS , 841 N. Broadway Room 104 MILWAUKEE , WI 53202-3640 , USA

Part No	Description	Quantity	Unit Pricing	Discount/ Surcharge	Total
1003	MicroStation SELECT Subscription	1	1,299.00	-181.86	1,117.14
Amount Due:					1,117.14
Currency					USD



Renewal Quote

SELECT Agreement: 10399344
RQ Number: 41720874
Customer ID: 4019340
Expiration Date: 02 December 2022
Pages: 6 / 6

By continuing your SELECT subscription, you benefit from a comprehensive program for the support of your Bentley applications. Your Bentley SELECT agreement is our commitment to continue to provide you and your organization with the highest levels of service. SELECT provides you with the flexibility you need to adapt to changing project requirements while keeping expenditures under control. Renewal of Bentley SELECT will ensure continuity of your following benefits:

- Flexible Licensing Options, including annual portfolio balancing and pooled licensing
- 24/7/365 Support
- Anytime Software Upgrades
- Adaptive Learning Services: Users master use of Bentley applications through personalized, contextual learning delivered in application via CONNECT Advisor.

This Renewal summary is in accordance with the terms and conditions of your SELECT Agreement.

Please do not hesitate to contact your Bentley representative Tina Morgan or file a Service request here if you have any inquiries or require any assistance.

Sincerely,

Tina Morgan
Tel: +1 (610) 458-5000
Fax:
E-mail: TINA.MORGAN@BENTLEY.COM

Export Control:

You acknowledge that these commodities, technology or software are subject to the export control laws, rules, regulations, restrictions and national security controls of the United States and other agencies or authorities based outside of the United States (the "Export Controls").

You must not export, re-export or transfer, whether directly or indirectly, the commodities, technology or software, or any portion thereof, or any system containing such commodities, technology or software or portion thereof, without first complying strictly and fully with all Export Controls that may be imposed on them.

The countries subject to restriction by action of the United States Government or any other governmental agency or authority based outside of the United States, are subject to change, and it is your responsibility to comply with the applicable United States Government requirements, or those of any other governmental agency or authority based outside of the United States, as they may be amended from time to time. For additional information, see <http://www.bis.doc.gov>

**Department of Administration
Purchasing Division**

**Waiver of Finance & Personnel Committee Approval
For Sole Source Contract
Contract #E0000013083**

Background:

User Department:	Milwaukee Health Department
Purchasing Agent:	Markiesha Henderson
Contract Description:	Vendor Service Contract for Abbott Architect i1000 Instrument, Reagents, and Services for HIV Type 1 and 2 Combo Testing at the Milwaukee Health Department Keenan Health Center Laboratory
Vendor Name and Location:	Abbott Laboratories, Inc. (Abbott Park, IL)
Contract Term:	11/17/2014 through 11/16/2019 with the option to extend upon mutual consent
Requisition # and Date Received:	0000019159 & 09/27/2022
Original Contract Amount:	\$270,875.00
Expenditures to Date:	\$467,865.49
Current Contract Amount:	\$508,512.00

History of Contract Amendments:

Date	Item	Term	Cost
10/30/2014	Original Contract - Vendor Service Contract for Abbott Architect i1000 Instrument, Reagents, and Services for HIV Type 1 and 2 Combo Testing at the Milwaukee Health Department Keenan Health Center Laboratory.	11/17/2014 through 11/16/2019	\$270,875.00
04/10/2019	Amendment #1 – Extended the contract term for three (3) years from 11/17/2019 through 11/16/2022 and increased the estimated contract total by \$237,637.00 from \$270,875.00 to \$508,512.00. Presented to F&P Committee on 04/10/2019	11/17/2019 through 11/16/2022	\$237,637.00
Pending	Amendment #2 – Extend the contract term for two (2) years from 11/17/2022 through 11/16/2024 and increase the estimated contract total by \$95,602.00 from \$508,512.00 to \$604,114.00.	11/17/2022 through 11/16/2024	\$95,602.00
Total (including the pending amendment)			\$604,114.00

Purpose of Amendment:

The purpose of this amendment is to extend the Milwaukee Health Department (MHD) Lab's Vendor Service Contract for Abbott Architect i1000 Instrument, Reagents, and Services for HIV Type 1 and 2 Combo Testing at the Milwaukee Health Department Keenan Health Center Laboratory, for a period of two (2) years from 11/17/2022 through 11/16/2024. Additionally, this amendment will increase the estimated contract total by \$95,602.00, from \$508,512.00 to \$604,114.00, in accordance with the vendor's quote dated 09/07/2022. Extending this contract term for a period of two (2) years will enable the vendor to provide reduced reagent pricing.

Justification for Waiver:

Since the establishment of this contract in 2014, the MHD Lab has been utilizing the Abbott Architect i1000 Instrument to provide sexually transmitted infection (STI) testing – including, but not limited to, the Human Immunodeficiency Virus (HIV) –for the community through the Keenan Health Center. Annually, the MHD Lab utilizes the Abbott Architect i1000 device to provide approximately 3,500 HIV tests.

The implementation of this amendment will allow the MHD Lab to continue to expedite HIV testing and provide an estimated average of 4,000 syphilis tests per year to the community.

For this reason and in accordance with City Charter 16-05-4a, Finance and Personnel Committee approval is waived for services authorized by the Common Council.

DocuSigned by:

Rhonda U. Kelsey

City Purchasing Director
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10/24/2022

Date

F & P Waiver Presentation Date: 11/15/2022

AMENDMENT TO AGREEMENT

ABBOTT LABORATORIES INC., D-943, CP1-4, 100 ABBOTT PARK ROAD, ABBOTT PARK, ILLINOIS 60064-6095

Customer Name	Keenan Health Department
Address	3200 N 36TH ST
City, State, ZIP	MILWAUKEE, WI, 53216
National Account Affiliation	US-Preferred
Customer Point of Contact	
Effective Date	11/16/2022
Initial Contract Term	Amendment to current Agreement
Sales Rep / Territory	Kimberly Rogosienski WMABH

Keenan Health Department ("Customer") and **Abbott Laboratories Inc.** ("Abbott"), hereby amend the **Master Agreement** dated **enter agreement date** (hereinafter referred to as "Agreement") between the parties under the terms and conditions specified below (this "Amendment"). Abbott and Customer agree to be legally bound by the Amendment change(s) referenced herein and attached hereto. This Amendment is effective as of the date indicated above ("Effective Date").

- 1) **PRODUCT ADDITIONS.** Customer and Abbott hereby amend the Agreement by adding one or more Products. The parties agree that all Products listed in the attached Price Exhibit will become part of the Price Exhibit of the Agreement upon the Effective Date of this Amendment, and therefore, all said Products shall be subject to the terms and conditions of the Agreement.

ATTACHMENT(S) (included in Amendment if checked)

Price Exhibit

If for some reason, you do not agree to the Amendment of your Agreement, please notify us in writing, at the above address within thirty (30) days. Upon receipt of your notice, the changes will be removed from your contract. If no notice is received from your facility within ninety (90) days from the Effective Date indicated on this letter or you make purchases against the attached changes, the Amendment will be deemed accepted.

If you have questions, you may contact your local Abbott Sales Representative, Kimberly Rogosienski at Kimberly.rogosienski@abbott.com.

Thank you for your interest and confidence in Abbott products.

Signature: _____

Printed Name: _____

Title: _____

Date: _____



Keenan Health Department Price Exhibit

9/7/2022

Customer	Keenan Health Department
Address	3200 N 36TH ST, MILWAUKEE, WI, 53216, United States
National Account Affiliation	NON-GPO
Sales Representative	Kimberly Rogosinski
Initial Contract Term	2 years

Equipment

Description	List Number	Site	Qty	Acquisition Type	Purchase Amt. (Extended)	Periodic Fee (Extended)	Ownership
ARCHITECT i1000SR	01L86-01	Keenan Health Department	1	Already Placed	\$0	\$0	

Total

Ancillary Items

Description	List Number	Site	Qty	Acquisition Type	Purchase Amt. (Extended)	Periodic Fee (Extended)	Ownership
ARCHITECT i1000 UPS ABCE2202-11 50220-03R (120VAC)	02P50-90	Keenan Health Department	1	Already Placed	\$0	\$0	
Abbott Link Firewall	02P38-01	Keenan Health Department	1	Already Placed	\$0	\$0	

Total

Always On In-lab Services

Description	List Number	Site	Qty	Acquisition Type	Service Years	Periodic Fee (Extended)	Annual Fee (Extended)
ARCHITECT i1000SR Always On 2nd Day	01DL7-09	Keenan Health Department	1	Monthly Incl. in Reagents**	2	\$900	\$10,800

Total

Customer Product Commitment

Description	List Number	Annual Test Volume	Price per Test	Annual Commitment
Architect IA Anti-HCV Reagent	01L79	30	\$9.610	\$288
Architect IA HIV Ag/Ab Combo Reagent	02P36	5,000	\$9.644	\$48,220
Architect IA Syphilis TP Reagent	08D06	6,000	\$7.849	\$47,094
Total		11,030		\$95,602

Annual Allowable No-Charge Consumable Quantities*

Description	List Number	Acquisition Type	Annual No-Charge Qty	Price per Unit	Annual Amount
Architect IA Anti-HCV Calibrator Kit (US)	01L79-01	Incl. in Reagents**	2	\$176.51	\$353
Architect IA HIV Ag/Ab Calibrator Kit (US)	02P36-01	Incl. in Reagents**	2	\$196.93	\$394
Architect IA Syphilis Calibrator Kit	08D06-04	Incl. in Reagents**	1	\$196.93	\$197
Architect IA Anti-HCV Control Kit (US)	01L79-10	Incl. in Reagents**	1	\$176.51	\$177
Architect IA HIV Ag/Ab Control Kit (US)	02P36-10	Incl. in Reagents**	7	\$196.93	\$1,379
Architect IA Syphilis Control Kit	08D06-13	Incl. in Reagents**	4	\$196.93	\$788

*Consumable kits will be provided for no-charge up to the expected annual kit volume quantity listed above.

Consumable kits ordered exceeding the annual allowable no-charge quantity will be charged the current contracted GPO or list price, as applicable.

**The "Incl. in Reagents" fee amounts shown above in *blue italics* are included in the reagent prices. Abbott will not issue any invoice for these amounts separately.