

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS AUTHORIZING THE CITY MANAGER TO EXECUTE THE SOFTWARE MAINTENANCE AMENDMENT RENEWAL WITH TRITECH SOFTWARE SYSTEMS, INC. FROM SEPTEMBER 1, 2013 TO AUGUST 31, 2014 IN THE AMOUNT OF \$97,765.54 AND AUTHORIZE THE CITY MANAGER TO EXERCISE UP TO FOUR (4) ANNUAL OPTIONS WITH ANNUAL FEE INCREASES BASED ON THE NATIONAL CONSUMER PRICE INDEX, SUBJECT TO APPROPRIATION OF FUNDS AND WITHOUT FURTHER CITY COUNCIL APPROVAL

WHEREAS, the City of Milpitas (“City”) entered into a Consulting Services Agreement with Tritech Software Systems, Inc. (“Tritech”) on October 21, 2003 for the purchase and installation of a computer aided software dispatch system for the Milpitas Police and Fire Departments (“Agreement”); and

WHEREAS, Tritech is the creator of the software that runs the City’s computer aided dispatch for the Milpitas Police and Fire Departments and is the only company that can provide software maintenance and support of the system; and

WHEREAS, the software maintenance renews each year on September 1st based on agreement between the parties of the renewal fee; and

WHEREAS, the parties desire to enter into a renewal of the software maintenance from September 1, 2013 to August 31, 2014 in the amount of \$97,765.54; and

WHEREAS, subsequent annual software maintenance renewal will be based on the national Consumer Price Index, which ranges from 1% to 3%, during the past few years;

NOW, THEREFORE, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The City Manager is authorized to execute the Software Maintenance Renewal Amendment with Tritech Software Systems, Inc. in the amount of \$97,765.54 in the form attached to this Resolution as Exhibit A.
3. The City Manager is further authorized to exercise up to four (4) annual options with annual fee increases based on the national Consumer Price Index, subject to appropriation of funds and without further City Council approval.

PASSED AND ADOPTED this _____ day of _____ 2013, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney

June 14, 2013

City of Milpitas
Attn. Chris Schroder
1265 N. Milpitas
Milpitas, CA. 95035

Renewal of Software Support Agreement (revised)

This letter is an important notice to renew your Software Support Agreement for your TriTech System, which expired on August 31, 2013. The renewal of the Software Support Agreement will allow you to continue to take advantage of the software support and maintenance services provided by TriTech Software Systems and allow you to receive upgrades to your TriTech System.

Please complete and sign this Support Renewal Agreement and return it to TriTech along with your payment to assure uninterrupted software support and maintenance services coverage. Action on this Support Renewal Agreement is time sensitive; services to support your system will not be provided if you have not paid your Support Renewal Fee by the Expiration date of your Software Support Agreement.

TriTech Support Services Renewal Agreement Amendment

Client agrees to renew its Software Support Agreement dated October 2003, the terms of which are incorporated by reference herein as though set forth in full, and according to the terms and conditions included herein. Except as modified herein, all other terms and conditions of the Software Support Agreement shall remain in full force and effect. With respect to the content herein, in the event of any conflict between this Software Support Renewal Agreement Amendment and the Software Support Agreement, the terms of this Software Support Renewal Agreement Amendment shall control. **This Support Renewal Agreement Amendment and applicable support fees must be signed, paid and returned by September 1, 2013** to avoid any interruptions in the software support and maintenance services provided by TriTech. Payment of \$97,765.94 for this period is due by August 31, 2013.

Consumer Price Index Adjustment

For support renewals that go into effect within calendar year 2013, the support renewal fee has been increased by the consumer price index (CPI) rate of 1.1%.

Note: Escrow, TeleAtlas and ESRI Fees, if applicable, are calculated separately and added to your annual support fee.

Payment

For your convenience, we have enclosed an invoice for the full amount of the TriTech Support Services Renewal Fees covering a 12 month period beginning September 1, 2013-August 31, 2014. If you have any questions, please contact Diana Sliwicki or your Client Account Manager at 858-799-7000.

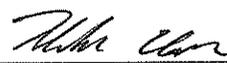
The Support Renewal Agreement for TriTech Support Services is based upon the following TriTech Software licenses:

Milpitas					
Product Name	Notes	# of Licenses	Cost per License	Total License Cost	Support Term 9/1/13 - 8/31/14
Interfaces to CLETS/SLETS/NCIC		1	15,000.00	15,000.00	3,391.48
Standard Alpha-Numeric Paging Interface License		1	9,000.00	9,000.00	2,034.89
Standard E-9-1-1 With TDD Interface License		1	20,000.00	20,000.00	4,521.97
VisiCAD Archive License Data Purging & SQL Replication		1	20,000.00	20,000.00	4,521.97
VisiCAD BOLO License		1	5,000.00	5,000.00	1,130.49
VisiCAD Command Public Safety Database Server License		1	30,000.00	30,000.00	6,782.96
VisiCAD Command Public Safety Full-User License***		6	12,000.00	72,000.00	16,279.10
VisiCAD Live Routing License		1	15,000.00	15,000.00	3,391.48
GISLink / VisiCAD MapImport Utility		2	20,000.00	20,000.00	4,521.97
VisiNet Mobile Applications Server License		1	50,000.00	50,000.00	11,304.93
VisiNet mobile Client License***		50	690.00	34,500.00	7,800.40
VisiNet Mobile Mapping Client License		50	300.00	15,000.00	3,391.48
WebView Site License Level 1	[a]	1	20,000.00	20,000.00	0.00
WebView Site License Server License	[a]	1	25,000.00	25,000.00	0.00
Zetron Station Alert/Printer Interface License (Centralized)		1	30,000.00	30,000.00	6,782.96
Added Licenses					
Message Switch Manager		1	5,000.00	5,000.00	1,130.49
VisiCAD MultiAgency		1	5,000.00	5,000.00	1,130.49
VisiCAD Multiassign		1	7,500.00	7,500.00	1,695.74
VisiCAD Playback		1	5,000.00	5,000.00	1,130.49
VisiCAD Protocol	[a]	1	50,000.00	50,000.00	0.00
VisiCAD Query Message Switch		1	5,000.00	5,000.00	1,130.49
VisiCAD R-Check		1	5,000.00	5,000.00	1,130.49
VisiCAD Rotation		1	500.00	500.00	113.05
VisiCAD Training/Test Server		1	10,000.00	10,000.00	2,262.01
				Total License Renewal Fee:	91,336.74
				ESRI Fees	128.00
				Escrow Fee	850.00
				Tricon	1,390.00
				TeleAtlas Fee	4,061.20
				Total Adjusted License Renewal Fee:	97,765.94
NOTES:					
ESRI Fees 6 user licenses @ \$16.00 each					
ESRI Fees for 2 GIS Link @ \$16.00 each					
TeleAtlas - 56 users					
[a] Removed per client request					

ACCEPTED AND AGREED:

TRITECH SOFTWARE SYSTEMS

Signature


 Blake Clark
 CFO

Printed Name

Title

Date