RESOLUTION NO. ______

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS AUTHORIZING THE PURCHASE OF AVOLVE PROJECTDOX SOFTWARE FROM INSIGHT PUBLICSECTOR THROUGH A COOPERATIVE PROCUREMENT CONTRACT BY U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE

WHEREAS, Section I-2-3.08 (“Cooperative Procurement”) of the Milpitas Municipal Code authorizes the City Council to award contracts without competition, when the purchase is pursuant to a cooperative agreement by another public agency in California that used competitive negotiation or bidding procedures at least as restrictive as the City’s; and

WHEREAS, Municipal Code Section I-2-3.08 (“Cooperative Procurement”) specifically authorizes the Purchasing Agent to make such purchases based on an agreement or cooperative purchasing program entered into by any of the following public agencies, regardless of whether the City is a named party to the agreement or an actual participant in such a program: (a) Any public agency situated within the State, if the underlying purchase was made using competitive negotiation, or bidding procedures at least as restrictive as the City’s, including the California Multiple Award Schedules (CMAS), the U.S. Communities Government Purchasing Alliance, National Joint Powers Alliance (NJPA), Western States Contracting Alliance (WSCA) or any California County contract; and (b) The Federal GSA Contracts; and

WHEREAS, a contract was awarded to Insight Public Sector pursuant to U.S. Communities Government Purchasing Alliance’s Request for Proposal (RFP) #2000001701 entitled “Technology Products Service Solutions”; and

WHEREAS, the initial cost of the software and first year’s maintenance and support is $216,630.00. The cost of maintenance and support for years two through five is $29,506.55 per year, for a total contract amount of $334,656.20; and

WHEREAS, the Purchasing Agent has reviewed all of the documentation related to the RFP and the original contract awarded to Insight Public Sector (contract #4400006644), and has determined that the contract is current through April 30, 2019, and the underlying purchase was made using competitive bidding procedures at least as restrictive as those of the City of Milpitas, and that the price for the software is the same as that offered in the original contract.

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

1. The City Council has duly considered the full record before it, which may include but is not limited to such things as the City 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 Purchasing Agent is authorized to purchase Avolve ProjectDox software from Insight Public Sector, with the initial cost of the software and first year’s maintenance and support being $216,630.00, and the cost of maintenance and support for years two through five being $29,506.55 per year, for a total contract amount of $334,656.20. This is a cooperative procurement through the U.S. Communities Government Purchasing Alliance.
PASSED AND ADOPTED this _____ day of _____________, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:                                APPROVED:

______________________________  ____________________________
Mary Lavelle, City Clerk             Rich Tran, Mayor

APPROVED AS TO FORM:

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Christopher J. Diaz, City Attorney