

1 **BILL NO. S-16-10-02**

2 **ORDINANCE NO. S-_____**

3 AN ORDINANCE approving the payment of Yearly
4 Maintenance for Asset and Work Management
5 software at a total cost of \$130,473.43 from and
6 through Infor Public Sector, Inc. by the City of Fort
Wayne, Indiana,

7 **Whereas**, said software is used for the maintenance and repair
8 of Fort Wayne's public infrastructure, such as
9 water mains, water valves, fire hydrants, sewer
mains, street lights, and streets of Fort Wayne;

10 **NOW, THEREFORE, BE IT ORDAINED BY THE COMMON**
11 **COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

12 **SECTION 1.** That the purchase of Yearly Maintenance for Asset
13 and Work Management software from Infor Public Sector, Inc. for a total of
14 cost to the City of \$130,473.43 is hereby approved in all respects. That said
15 Yearly Maintenance will be used to ensure the proper maintenance of the
16 City's public infrastructure.

17 **SECTION 2.** That the City is authorized and directed to take all
18 action necessary for the payment of software maintenance of this system by
19 and through Infor Public Sector, Inc.

20 **SECTION 3.** That this Ordinance shall be in full force and effect
21 from and after its passage and any and all necessary approval by the Mayor.

22 _____
23 Council Member

24 **APPROVED AS TO FORM AND LEGALITY**

25 _____
26 Carol T. Helton, City Attorney
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28
29
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CITY OF FORT WAYNE, INDIANA

Infor (US), Inc.
(Vendor Name)

VENDOR DISCLOSURE STATEMENT RELATING TO:

1. **FINANCIAL INTERESTS;**
2. **POTENTIAL CONFLICTS OF INTEREST;**
3. **CURRENT AND PENDING CONTRACTS OR PROCUREMENTS**

Vendors desiring to enter into certain contracts with the City of Fort Wayne, Indiana (the "City") shall disclose their financial interests, potential conflicts of interest and current and pending contract or procurement information as set forth below.

The following disclosures by Vendors are required for all contracts with annual payments by the City in the amount of \$50,000 or more. Vendors shall disclose their financial interests, potential conflicts of interest and other contract and procurement information identified in Sections 1, 2 and 3 below as a prerequisite for consideration for a contract awarded by the City. This Disclosure Statement must be completed and submitted together with the Vendor's contract, bid, proposal or offer.

A publicly traded entity may submit its current 10K disclosure filing in satisfaction of the disclosure requirements set forth in Sections 1 and 2 below.

Section 1: Disclosure of Financial Interest in Vendor

- a. If any individuals have either of the following financial interests in Vendor (or its parent), please check all that apply and provide their names and addresses (attach additional pages as necessary):

* Financial Website: <http://www.infor.com/company/investor-information/>

- (i) Equity ownership exceeding 5% ☐ ()
- (ii) Distributable income share exceeding 5% ☐ ()
- (iii) Not Applicable (If N/A, go to Section 2) ☒ See Above

Name: _____ Name: _____

Address: _____ Address: _____

- b. For each individual listed in Section 1a. show his/her type of equity ownership:

sole proprietorship ☐ stock ☐
partnership interest ☐ units (LLC) ☐
other (explain) _____

- c. For each individual listed in Section 1a. show the percentage of ownership interest in Vendor (or its parent):
ownership interest:

Name: _____ %

Name: _____ %

Section 2: Disclosure of Potential Conflicts of Interest (not applicable for vendors who file a 10K)

For each individual listed in Section 1a, check "Yes" or "No" to indicate which, if any, of the following potential conflict of interest relationships apply. If "Yes", please describe using space under applicable subsection (attach additional pages as necessary):

- a. City employment, currently or in the previous 3 years, including contractual employment for services:

Yes _____ No _____

- b. City employment of "Member of Immediate Family" (defined herein as: spouse, parent, child or sibling) including contractual employment for services in the previous 3 years:

Yes _____ No _____

- c. Relationship to Member of Immediate Family holding elective City office currently or in the previous 3 years:

Yes _____ No _____

- c. Relationship to Member of Immediate Family holding appointive City office currently or in the previous 3 years:

Yes _____ No _____

Section 3: DISCLOSURE OF OTHER CONTRACT AND PROCUREMENT RELATED INFORMATION

- a. Does Vendor have current contracts (including leases) with the City? Yes X No _____

If "Yes", identify each current contract with descriptive information including purchase order or contract reference number, contract date and City contact below (attach additional pages as necessary).

- Account #1-372280, City of Fort Wayne, Hansen Software Maintenance Renewal
- Account #1-373142-1, City of Fort Wayne, EAM Software Maintenance Renewal and EAM Services Agreement

b. Does Vendor have pending contracts (including leases), bids, proposals, or other pending procurement relationship with the City? Yes _____ No X*

* To the best of our knowledge

If "Yes", identify each pending matter with descriptive information including bid or project number, contract date and City contact using space below (attach additional pages as necessary).

c. Does vendor have any existing employees that are also employed by the City of Fort Wayne?

Yes _____ No X

If "Yes", provide the employee's name, current position held at vendor, and employment payment terms (hourly, salaried, commissioned, etc.).

Name / Position / Payment Terms: _____

Name / Position / Payment Terms: _____

Name / Position / Payment Terms: _____

d. Does vendor's representative, agent, broker, dealer or distributor (if applicable) have any existing employees that are also employed by the City of Fort Wayne? For each instance, please provide the name of the representative, agent, broker, dealer or distributor; the name of the City employee, and the payment terms (hourly, salaried, commissioned, etc.). **No, to the best of our knowledge.**

Company / Name / Payment Terms: _____

Company / Name / Payment Terms: _____

Section 4: CERTIFICATION OF DISCLOSURES

In connection with the disclosures contained in Sections 1, 2 and 3 Vendor hereby certifies that, except as described in attached Schedule A:

- a. Vendor (or its parent) has not, within the five (5) year period preceding the date of this Disclosure Statement, been debarred, suspended, proposed for debarment declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. No officer or director of Vendor (or its parent) or individual listed in Section 1a. is presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any offense;
- * c. Vendor (or its parent) has not, within the five (5) year period preceding the date of this Disclosure Statement, had one or more public transactions (federal, state or local) terminated for cause or default;
* See Comment
- d. No officer or director of Vendor (or its parent) or individual listed in Section 1a. has, within the five (5)

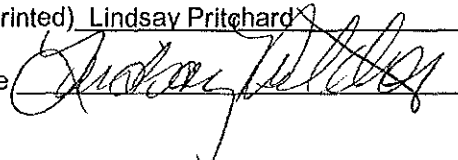
year period preceding the date of this Disclosure Statement, been convicted, adjudged guilty, or found liable in any criminal or civil action instituted by the City, the federal or state government or any other unit of local government; and

- e. Neither Vendor, nor its parent, nor any affiliated entity of Vendor, or any of their respective officers, directors, or individuals listed in Section 1a. is barred from contracting with any unit of any federal, state or local government as a result of engaging in or being convicted of: (i) bid-rigging; (ii) bid-rotating; or (iii) any similar federal or state offense that contains the same elements as the offense of bid-rigging or bid-rotating
- f. Pursuant to IC 5-22-16.5, Vendor hereby certifies they do NOT provide \$20 million dollars or more in goods or services to the energy sector of Iran. Vendor also certifies it is not a financial institution that extends \$20 million dollars or more in credit that will provide goods or services to the energy sector of Iran or extends \$20 million dollars or more in credit to a person identified on the list as a person engaging in investment activities in Iran.

The disclosures contained Sections 1, 2 and 3 and the foregoing Certifications are submitted by

Infor (US), Inc.	13560 Morris Road, Suite 4100, Alpharetta, GA 30004
(Name of Vendor)	Address
	(678) 319-8000
	Telephone
	info@infor.com
	E-Mail Address

The individual authorized to sign on behalf of Vendor represents that he/she: (a) is fully informed regarding the matters pertaining to Vendor and its business; (b) has adequate knowledge to make the above representations and disclosures concerning Vendor; and (c) certifies that the foregoing representations and disclosures are true and accurate to the best of his/her knowledge and belief.

Name (Printed) Lindsay Pritchard	Title Associate General Counsel
Signature 	Date 7/19/16

NOTE: FAILURE TO COMPLETE AND RETURN THIS FORM WITH YOUR DOCUMENTATION MAY RESULT IN YOUR CONTRACT, OFFER, BID OR PROPOSAL BEING DISQUALIFIED FROM CONSIDERATION.

*** Section 4.c.**

As with all software companies, clients have returned software or sought other means to dissolve a relationship with Infor. The reasons behind these events are typically attributed to client scope changes, mismanaged expectations and changed client financial constraints due to economic conditions that are outside the realm of our control. Although it is Infor's desire to be completely responsive to the City of Fort Wayne, Indiana, ensuring the confidentiality of past and existing clients is also important to us. Many of our contracts require, as an integral part of the contract, that the details of the customer/vendor relationship be kept confidential. Infor works closely with each customer to deliver a project plan within the expected targets on time and within budget constraints. We have participated in hundreds of multi-year projects, many of which remain open and on schedule.

Interoffice Memo

Date: August 29, 2016
To: Common Council Members
From: Joseph Welch, City Utilities Chief Information Officer
RE: Yearly Maintenance for Infor Asset Management Software

Members of City Council:

This ordinance is to authorize the purchase of yearly maintenance for asset management's software from Infor Public Sector, Inc. for the maintenance and repair of the City's infrastructure. This year's cost of maintenance for this software is \$130,473.43.

The software is used to track assets for:

- Water Maintenance and Service (Mains, Hydrants, Valves)
- Water Pollution Control Maintenance (Mains, Manholes, Inlets)
- Street Department (Streets, Intersections)
- Street Light Operations (Poles, Lights)

The software also manages Inventory Tracking, Preventative Maintenance Scheduling, and Requests for Repairs for the above departments and Sewer Engineering.

The cost for this software is divided between Fort Wayne Civil City (25%) and Fort Wayne City Utilities (75%). The share was determined by the approximate ratio of infrastructure assets under control of the system.

Our decision to pay maintenance rests on four tests:

- Do we have a continuing internal commitment to use this software?
- Is the software vendor continuing to improve the product?
- Is the vendor useful in solving problems with the software?
- If the software fails, what's the worst case scenario?

The Civil City and City Utilities both have substantial investments in the use of Infor Asset Management software. Infor provides regular updates to the software and supports our day to day operation of the software.

If you have any questions, please let me know.

Joseph Welch
Fort Wayne City Utilities
Chief Information Officer

CC: BOW
Matthew Wirtz
Diane Brown
Construction Manager
File