BILL NO. S-18-01-18

SPECIAL ORDINANCE NO. S-__________

AN ORDINANCE approving the awarding of 2019 YEARLY MAINTENANCE FOR CUSTOMER INFORMATION AND BILLING SOFTWARE between N. HARRIS COMPUTER CORPORATION and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That the purchase of 2019 YEARLY MAINTENANCE FOR CUSTOMER INFORMATION AND BILLING SOFTWARE between the City of Fort Wayne, by and through its Board of Public Works and N. HARRIS COMPUTER CORPORATION, is hereby ratified, and affirmed and approved in all respects, respectfully for:

The tracking, billing of customers for services including water, sewer, storm water, and solid waste management (garbage collection);

involving a total cost not-to-exceed ONE HUNDRED FORTY-TWO THOUSAND FOUR HUNDRED EIGHTY-ONE AND 47/100 DOLLARS – ($142,481.47) all as more particularly set forth in said YEARLY MAINTENANCE FOR CUSTOMER INFORMATION AND BILLING SOFTWARE which is on file in the Office of the City Clerk, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol Helton, City Attorney by LES

Carol Helton, City Attorney

FORT WAYNE BOARD OF PUBLIC WORKS
TRANSMITTAL

Meeting Date: January 9, 2018

Department: City Utilities Administration

Preparer: Salge, Karen Joe Welch presenting.

Subject: N Harris - 2019 CIS Maintenance

Description:

Approval of Services Agreement between the City of Fort Wayne and N. Harris Computer Corporation for 2019 purchase of yearly maintenance for customer information and billing software for the maintenance and repair of the City's infrastructure. Compensation for services performed shall be a not-to-exceed amount of $142,481.47.

Attachments:

N Harris Corp - 2019 CIS Maintenance

Approval of Professional Services Agreement between the City of Fort Wayne and N. Harris Computer Corporation for 2019 purchase of yearly maintenance for customer information and billing software for the maintenance and repair of the City's infrastructure. Compensation for services performed shall be a not-to-exceed amount of $142,481.47

City of Fort Wayne
Board of Public Works

Date: 1/9/18

Shan Gunawardena, Chair

Kumar Menon, Member

Mike Avila, Member

Attest: Lyndsey Richards

Lyndsey Richards, Clerk

CITY OF FORT WAYNE, INDIANA

Advanced Utility Systems, A Division of N.Harris Computer Corporation
(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):

(i) Equity ownership exceeding 5% (____)

(ii) Distributable income share exceeding 5% (____)

(iii) Not Applicable (If N/A, go to Section 2) (__✓__)

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, Child, Step Child, Parent or Step Parent, Father-in-law or Mother-in-law, Brother or Sister, Step Brother or Step Sister, Half Brother or Half Sister, Brother-in-law or Sister-in-law, Son-in-law or Daughter-in-law, Grandparent or Step Grandparent, Grandparent or Step Grandparent of Spouse, Grandchild)*
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 __✓__

Section 3: DISCLOSURE OF OTHER CONTRACT AND PROCUREMENT RELATED INFORMATION

a. Does Vendor have **current** contracts (including leases) with the City? Yes __✓__ 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).

Customer Information System License Agreement – Bill No S-13-10-20

Customer Information System Software Implementation Services Agreement – Bill No S-13-10-19

Customer Information System Support and Maintenance Agreement – Bill No S-13-10-21b.

Does Vendor have **pending** contracts (including leases), bids, proposals, or other pending procurement relationship with the City? Yes ______ No __✓__

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 __✓__

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.).

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;

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

Advanced Utility Systems, A Division of N. Harris Computer
(Name of Vendor)

2235 Sheppard Avenue East, Suite 1400, Toronto, On M2J 5B5
Address
(416) 496-0149
Telephone
sales@advancedutility.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) Peter Fanous Title Executive Vice President

Signature ____________ Date November 3, 2017

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

COUNCIL DIGEST SHEET

Enclosed with this introduction form is a tab sheet and related material from the vendor(s) who submitted bid(s). Purchasing Department is providing this information to Council as an overview of this award.

RFPs & BIDS

Bid/RFP #	N/A
Awarded To	Harris
Amount	$142,481.47
Conflict of interest on file?	X Yes ☐ No
Number of Registrants	N/A
Number of Bidders	N/A
Required Attachments	

EXTENSIONS

Date Last Bid Out	N/A
# Extensions Granted To Date	N/A

SPECIAL PROCUREMENT

Contract #/ID *(State, Federal, Piggyback--Authority)*	N/A
Sole Source/ Compatibility Justification	Sole Source – Software Maintenance

BID CRITERIA *(Take Buy Indiana requirements into consideration.)*

Most Responsible, Responsive Lowest	☐ Yes ☐ No *If no, explain below*
If not lowest, explain	N/A

COUNCIL DIGEST SHEET

COST COMPARISON

Increase/decrease amount from prior years For annual purchase (if available).	This maintenance increased 7% from 2017.

DESCRIPTION OF PROJECT / NEED

Identify need for project & describe project; attach supporting documents as necessary.	The need for the yearly maintenance is to obtain support to help staff deal with software issues and periodically obtain new versions of the software.

REQUEST FOR PRIOR APPROVAL

Provide justification if prior approval is being requested.	N/A

FUNDING SOURCE

Account Information.	Utility Administration

City Utilities Administrati

Date: January 3, 2018

To: Common Council Members
From: Joseph Welch, City Utilities Chief Information Officer
RE: Yearly Maintenance for Harris Customer Information and Billing Software

Members of City Council:

This ordinance is to authorize the purchase of yearly maintenance for customer information and billing software from N. Harris Computer Corporation. for the maintenance and repair of the City's infrastructure. This year's cost of maintenance for this software is $142,481.47.

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?

City Utilities relies solely on the use of customer information and billing software to bill and collect payment from customers for the services listed above. N. Harris Computer Corporation 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