ORDINANCE NO. ______

AN ORDINANCE TO DISPENSE WITH THE REQUIREMENT OF COMPETITIVE SELECTION AND TO AUTHORIZE THE CITY MANAGER TO RENEW A CONTRACT WITH INFOR (US), INC., IN AN AMOUNT NOT TO EXCEED ONE MILLION THREE HUNDRED THREE THOUSAND, NINE HUNDRED SEVENTY-FOUR AND 65/100 DOLLARS ($1,303,974.65) PLUS ANY APPLICABLE TAXES, FOR SOFTWARE MAINTENANCE FOR THE CITY’S ENTERPRISE RESOURCE PLANNING SYSTEM; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Request for Proposal No. 5329, the City solicited proposals for a fully integrated, web-enabled applications information system for the City’s Enterprise Resource Planning System (“the System”), and later authorized a contract with Lawson Software, Inc., in Little Rock, Ark., Resolution No. 12,202 (February 7, 2006); and

WHEREAS, on July 1, 2012, Lawson Software, Inc., changed its business name to INFOR (US), Inc.; and,

WHEREAS, pursuant to Ordinance No. 21,393 (April 18, 2017), the City authorized System upgrades and expansions for Enterprise Asset Management, Strategic Sourcing & Contract Management, INFOR Public Sector Community Development & Regulatory, Dynamic Enterprise Performance Management, and related data conversions; and,

WHEREAS, the System is INFOR (US), Inc. proprietary software, and only INFOR is authorized to provide the necessary maintenance service required to protect against a shut-down of the System; and,

WHEREAS, it is now time to enter into another one (1)-year agreement for INFOR software maintenance; and,

WHEREAS, as long as it can be certified to the City Manager that INFOR is the only company that is authorized to provide this maintenance service pursuant to the INFOR software license, the City Manager should be authorized to exercise an option to renew this agreement on an annual basis for the next five (5) periods;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS:

Section 1. The City Manager is authorized to renew the maintenance agreement with INFOR (US), Inc., for up to five (5) annual periods, in a form to be approved by the City Attorney, for INFOR software
maintenance for a total amount not to exceed One Million, Three Hundred Three Thousand, Nine Hundred Seventy-Four and 65/100 Dollars ($1,303,974.65), divided into five (5) annual payments in the amounts below, plus applicable taxes.

(a) $231,320.41 for period No. 1
(b) $245,199.63 for period No. 2
(c) $259,911.61 for period No. 3
(d) $275,506.31 for period No. 4
(e) $292,036.69 for period No. 5

Section 2. Because of the need to have periodic software maintenance performed by INFOR technicians in order to comply with the INFOR software license requirements and to protect the System, the Board declares that it is impractical and unfeasible to submit this matter to a competitive selection process.

Section 3. Funds for the annual payment required pursuant to the agreement authorized by this ordinance are available in the City’s Finance Account No. 102501-61350.

Section 4. Severability. In the event any portion of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this ordinance, which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of this ordinance.

Section 5. Repealer. All ordinances and resolutions, and parts thereof, which are in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

Section 6. Emergency Clause. The need for immediate and uninterrupted software maintenance services is necessary to protect the City’s critical Enterprise Resource Planning System which is essential for city services and, therefore, is crucial to continue everyday operations of the City; an emergency is, therefore, declared to exist and this ordinance shall be in full force and effect from and after the date of its passage.

PASSED: May 16, 2017

ATTEST: Mark Stodola, Mayor

APPROVED AS TO LEGAL FORM:

Thomas M. Carpenter, City Attorney