RESOLUTION AUTHORIZING THE CITY MANAGER TO REVIVE AND BRING UP-TO-DATE THE EXPIRED MAINTENANCE AGREEMENT WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC., IN AN AMOUNT NOT TO EXCEED $86,000, TO PROVIDE MAINTENANCE SERVICES FOR THE CITY OF STOCKTON'S GEOGRAPHIC INFORMATION SYSTEMS MAPPING SOFTWARE (PUR 11-031)

The City of Stockton (City) seeks to enter into a maintenance agreement with Environmental Systems Research Institute, Inc. (ESRI) to provide maintenance services for the City's Geographic Information Systems (GIS) mapping software; and

The City's current maintenance agreement with ESRI for the City's GIS systems expired on August 3, 2008; and

Reviving the expired maintenance agreement at this time will allow the GIS systems to be brought current and upgraded to a new version. This will ensure the ability to continue to provide updates to the Fire Department's (Fire) dispatch system and the Police Department's (Police) crime analysis system; now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, ASfollows:

1. Stockton Municipal Code section 3.68.070 provides an exception to the competitive bidding process in cases where the City Council has approved findings that support and justify the purchase:

   a. Through a Request for Proposal process in 1988, the City entered into an agreement with ESRI to provide GIS mapping licenses.

   b. The City's choice of the ESRI software for its GIS systems requires the City to use ESRI maintenance.

   c. Only ESRI provides the needed maintenance support that is compatible with the software used.
d. The maintenance agreement with ESRI was allowed to expire in 2008 because City staff was able to provide support and maintain the GIS software.

e. The Logisys Fire Dispatch system has been recently upgraded and the new version has minor incompatibilities with the existing version of the ESRI software.

f. The Police Department's Crimeview analysis system's upcoming upgrade requires the newer version of the ESRI software, as well.

g. The most cost-effective way to upgrade the ESRI software is to revive the expired maintenance agreement and bring it up-to-date.

2. Based on these findings, the City Council hereby declares that an exception to the competitive bidding process is justified to revive and bring up-to-date the maintenance agreement with ESRI for maintenance services for the City's GIS mapping software, in an amount not to exceed $86,000, a copy of which is attached as Exhibit 1 and incorporated herein by this reference, and to approve future license renewals/additions and maintenance agreements with ESRI for GIS mapping software.

3. The City Manager is authorized to take such other actions as are appropriate to carry out the intent of this Resolution.

PASSED, APPROVED, and ADOPTED November 15, 2011

ANN JOHNSTON, Mayor
of the City of Stockton

ATTEST:

BONNIE PAIGE
City Clerk of the City of Stockton
CITY OF STOCKTON

Contract Change Order No. 1

ORIGINAL CONTRACT PRICE

Original Contract Price $41,311

CCO No. 1 $86,000

Revised Contract Price $127,311

MAINTENANCE AGREEMENT CONTRACT FOR MAINTENANCE SERVICES OF CITY’S MAPPING SOFTWARE

TO Environmental Systems Research Institute, Inc. (Contractor). You are hereby directed to make the herein described changes from the plans and specifications or do the following described work not included in the plans and specifications of this contract.

ADDITIONAL WORK PERFORMED FOR ABOVE REFERENCED PROJECT

Change order to revive expired contract as set forth in Exhibit A.

We, the undersigned contractor, have given careful consideration to the change proposed and hereby agree, if this proposal is approved that we will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment therefore the prices shown above.

By reason of this proposed change, 5 days extension of time will be allowed.

Accepted Date

__________________________ (Contractor)

By _________________________________

Title _________________________________

Note: This change order is not effective until approved by the City Manager or if under Council approved limits, Department Director.

*Increase
Total cost of change not to exceed $ 86,000

Submitted By _______ Susan Mayer ____________________________
Project Manager

Reviewed for Construction ______ N/A ____________________________
(if applicable)

Approval Recommended:

By _________________________________

Do the changes above have any potential impact on the use of Public Facility Fees and/or other restricted funding sources? (Circle One) YES/NO

If Yes, Budget Officer or designee to verify available funding

Available funding verified ____________________________

Name and Title _________________________________

Date Approved _________________________________

__________________________ _________________________________

Dept Head Name and Title _________________________________

__________________________ _________________________________

Bob Deis, City Manager _________________________________

Approved - City Council Resolution No. _________________________________

APPROVED AS TO FORM & CONTENT:
OFFICE OF THE CITY ATTORNEY

BY _________________________________

CITY ATTORNEY
8/17/2011 - MODIFIED MAINTENANCE QUOTE

Please find the attached quotation for your forthcoming software maintenance term. Keeping your maintenance current entitles you to exclusive benefits, and if you choose to discontinue your coverage, you will become ineligible for these valuable benefits and services. All maintenance fees from the date of discontinuation will be due and payable if you decide to reactivate your coverage at a later date. For details regarding the maintenance program benefits for your licensing, please visit http://www.esri.com/maintenancebenefits.

Customers who have multiple copies of some Esri products may have the option of supporting some of their licenses with secondary maintenance. Please contact Customer Service to find out more about the availability of secondary maintenance.

For information about Esri Desktop, Developer software, or Web services terms of use, as well as purchase order terms and conditions, please visit http://www.esri.com/legal/licensing/software-license.html.

For details about ECP discounts and waivers for non-profit users please visit http://www.conservationgis.org/grant

If you have any questions or need additional information, please contact Customer Service at 888-377-4575 Option 5.
**Quotation**

**Date:** 08/17/2011  
**Quotation Number:** 25475647

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**Send Purchase Orders To:**  
Esri, Inc.  
380 New York Street  
Redlands, CA 92373-8100  
Attn: Michelle Burkholder  

**Please include the following remittance address on your Purchase Order:**  
Esri, Inc.  
File #54630  
Los Angeles, CA 90074-4630

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**CITY OF STOCKTON**  
**INFORMATION TECHNOLOGY DEPT**  
**CITY HALL**  
425 N EL DORADO ST  
STOCKTON CA 95202-1997  
**Attn:** Bruce  
**Customer Number:** 228  
For questions regarding this document, please contact Customer Service at 888-377-4575.

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End Date: 08/03/2012 |
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|      |     | ArcView Concurrent Use Primary Maintenance  
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| 14010| 1   | 87232     | 2,000.00   | 2,000.00       |
|      |     | ArcGIS Spatial Analyst Concurrent Use Primary Maintenance  
Start Date: 08/04/2008 |

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This quotation is valid for 90 days and is subject to your Esri License Agreement. The quotation information is proprietary and may not be copied or released other than for the express purpose of system selection and purchase/license. This information may not be given to outside parties or used for any other purpose without consent from Environmental Systems Research Institute, Inc. (Esri).

Any estimated sales and/or use tax has been calculated as of the date of this quotation and is merely provided as a convenience for your organization's budgetary purposes. Esri reserves the right to adjust and collect sales and/or use tax at the actual date of invoicing. If your organization is tax exempt or pays state taxes directly, then prior to invoicing, your organization must provide Esri with a copy of a current tax exemption certificate issued by your state's taxing authority for the given jurisdiction.

**Issued By:** Michelle Burkholder  
**Ext:** 2816  
[BURKHOLDERM]

To expedite your order, please reference your customer number and this quotation number on your purchase order.
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DUNS/CEC: 06-313-4175  CAGE: 0AMS3
BY SIGNING BELOW, YOU ARE INDICATING THAT YOU ARE AUTHORIZED TO OBLIGATE FUNDS FOR YOUR ORGANIZATION. DO NOT USE THIS FORM FOR ORDER ACTIVATION IF YOUR ORGANIZATION WILL NOT HONOR AND PAY AN INVOICE THAT HAS BEEN ISSUED AT YOUR DIRECTION WITHOUT ADDITIONAL AUTHORIZING PAPERWORK.

If you have made ANY alterations to the line items included in this quote and have chosen to sign the quote to indicate your acceptance, you must fax Esri the signed quote in its entirety in order for the quote to be accepted.

If your organization is a US Federal, state, or local government agency; an educational facility; or a company that will not pay an invoice without having issued a formal purchase order, a signed quotation will not be accepted unless it is accompanied by your purchase order.

If you choose to discontinue your support, you will become ineligible for support benefits and services. All maintenance fees from the date of discontinuation will be due and payable if you decide to reactivate your support coverage at a later date.

This transaction is governed exclusively by the terms of the above-referenced contract, if any, or Esri’s standard terms and conditions at www.esri.com/legal.

In order to expedite processing, please reference the quotation number and any/all applicable Esri contract number(s) (e.g. MPA, ELA, SmartBuy, GSA, BPA) on your ordering document.

By signing below, you are authorizing Esri to issue a software support invoice in the amount of $_____________ plus sales tax, if applicable.

Please check one of the following:

____ I agree to pay any applicable sales tax.

____ I am tax exempt. Please contact me if Esri does not have my current exempt information on file.

Please indicate on your purchase order if this purchase is funded through the American Recovery and Reinvestment Act, and whether Esri is a Prime Recipient, Sub-recipient, or Vendor for reporting purposes.

__________________________________________  __________________________
Signature of Authorized Representative                  Date

__________________________________________  __________________________
Name (Please Print)                                        Title