

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN UNITED DATA TECHNOLOGIES (UDT) AND THE CITY OF HOLLYWOOD FOR THE LEASE/PURCHASE AND MAINTENANCE OF A UNIFIED COMMUNICATIONS SYSTEM; AND FURTHER AUTHORIZING A SIX-YEAR FINANCING AGREEMENT BETWEEN KEY GOVERNMENT FINANCE AND THE CITY OF HOLLYWOOD FOR A TOTAL ESTIMATED AMOUNT OF \$1,155,554.00.

WHEREAS, the City's telephone system infrastructure is segregated and technologically obsolete; and

WHEREAS, the Department of Information Technology is requesting to replace the current hybrid PBX telephone/voicemail/911 premise identification system with a new Unified Communications System (City-wide telephone system); and

WHEREAS, on May 1, 2014, notices of the availability of RFP-4398-14-JE were posted on the City's website as well as the Demandstar in accordance with the City's Purchasing Ordinance; and

WHEREAS, RFP-4398-14-JE was opened at 3:00 p.m., Thursday, May 29, 2014, and resulted in responses from eight (8) firms:

- AT &T
Sunrise, Florida
- Dimension Data
Raleigh, North Carolina
- Fulton Communications
Delray Beach, Florida
- Insight Public Sector, Inc.
Tampa, Florida
- Interactive Intelligence
Indianapolis, Minnesota
- SwitchTech/Teleswitch International
Miami, Florida

- Unify
Boca Raton, Florida
- United Data Technologies
Doral, Florida ;and

WHEREAS, evaluations of the Proposals were based upon the following criteria as established in the RFP: 1) Experience in U.C. Industry 2) Project Organization and Technical Qualifications of the Persons Assigned to the Project 3) Project Understanding, Proposed Approach and Methodology 4) References and Successfully Completed Similar Projects and 5) Cost of Equipment and Professional Services Fee; and

WHEREAS, the firms' proposals were evaluated by an Evaluation Committee comprised of the Information Technology staff, City Treasurer, Director of the Office of Parking and Intergovernmental Affairs and the Director of Public Affairs and Marketing; and

WHEREAS, after the Evaluation Committee reviewed all Proposals received, the Proposals received from Interactive Intelligence, Insight Public Sector, Fulton Communications, AT&T, Unify and Dimension Data were all deemed non-responsive as they did not meet the Insurance Requirements and/or the Hold Harmless Indemnity requirements; and

WHEREAS, the Proposals received from United Data Technologies and SwitchTech/Teleswitch met all the requirements of the RFP and the Evaluation Committee requested Oral Presentations by both firms; and

WHEREAS, on July 31, 2014, Oral Presentations were held and after both firms presented, the Evaluation Committee ranked the firms in the below order as follows:

- United Data Technologies
- SwitchTech/Teleswitch and

WHEREAS, on August 19, 2014, Dimension Data North American, Inc. of Raleigh, North Carolina filed a protest in connection with the pending award of the contract and/or the process leading to the award of the contract in accordance with the City's Purchasing Ordinance, Section 38.51(A); and

WHEREAS, a public bid protest hearing was held on Thursday, September 18, 2014, to review, settle and resolve the protest; and

WHEREAS, the Protest Committee was comprised of the Human Resources Director, the Director of Planning and Development Services and the Director of Public Utilities; and

WHEREAS, the Protest Committee determined that the pending award of the contract and/or any element of the process leading to the award did not involve a significant violation of law or applicable rule or regulation, and denied the bid protest; and

WHEREAS, the proposal submitted by UDT indicated financing for a five (5) year period, however, in the addendum submitted by UDT/Cisco they acknowledged the financing provided by Key Government Finance will be over a six (6) year period; and

WHEREAS, in the proposal submitted by UDT, the Information Technology Department selected the option for a complete Unified Communications System at a cost of \$1,250,921.65, which included a buyout cost for the City's current telephone system in the amount of \$238,182.34; and

WHEREAS, the initial buyout cost submitted in UDT's proposal has been significantly reduced, as the City has continued to make payments towards the current telephone system with Siemens, Inc. (also financed by Key Government Finance), the current vendor, and these subsequent payments to the leasing structure reduce the buyout amount to \$142,814.69, therefore, the total acquisition cost for the UDT's system is now \$1,155,554.00; and

WHEREAS, because the Unified Communications System will be financed, the financing interest rate at this point is 0%, however, the final interest rate cannot be determined until the overall project is awarded to UDT (Key Government Finance); and

WHEREAS, in comparing the City's current telephone system quarterly leasing payments to Siemens (Key Government Finance), UDT (Key Government Finance) has offered to match the current leasing structure to minimize the City's overall cost for their Unified Communications System; and

WHEREAS, the Evaluation Committee recommends that the City Commission authorize negotiation and execution of agreements between UDT and the City of Hollywood and Key Government Finance and the City of Hollywood for the lease/purchase and maintenance of a Unified Communications System for a six (6) year period in the amount not to exceed \$1,155,554.00; and

WHEREAS, principal and interest payments and payments for maintenance costs under the terms of the proposed agreements will not be incurred or made by the City until ninety (90) days after the execution of the agreements; and

WHEREAS, funding will be made available in certain identified line item accounts as part of the proposed FY 2016 Operating Budget subject to the adoption and approval by the City Commission of said Operating Budget and funding for the payments to be made in future years will be proposed in the applicable future year's operating budget subject to the adoption and approval of said future year's budget by the City Commission; and

WHEREAS, the City of Hollywood reserves the right to terminate the agreement with or without cause effective thirty (30) days from date of written notice; and

WHEREAS, award is subject to the City's receipt and approval of all insurance certificates required by the City's Risk, along with signed Statement of Hold Harmless and Indemnity in favor of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That it hereby approves and authorizes the negotiation and execution, by the appropriate City Officials, of agreements embodying the terms and conditions approved by the City Commission this date, between United Data Technologies and the City of Hollywood, and Key Government Finance and the City of Hollywood, in forms acceptable to the City Manager and approved as to form and legality by the City Attorney.

Section 2: That, if the appropriate City officials are unable to negotiate and execute agreements with United Data Technologies and Key Government Finance, they are hereby authorized to commence contract negotiations with Switch Tech/Teleswitch.

Section 3: That the Department of Financial Services is hereby authorized to establish such line item account(s) as may be necessary to properly track and account for the expenditures or payments to be made under the agreements.

Section 4: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2015.

PETER BOBER, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM AND LEGALITY
for the use and reliance of the
City of Hollywood, Florida, only.

JEFFREY P. SHEFFEL, CITY ATTORNEY