

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE FIRST RENEWAL OF THE AMENDMENT TO THE EXISTING AST MASTER SERVICES AGREEMENT FOR THE ORACLE ENTERPRISE RESOURCE PLANNING SOFTWARE (PREVIOUSLY APPROVED BY RESOLUTION NO. R-2020-024) FOR THE ORACLE COMMUNITY DEVELOPMENT SUITE SOFTWARE FOR THE DEPARTMENT OF DEVELOPMENT SERVICES BUILDING DIVISION IN AN AMOUNT NOT TO EXCEED \$744,775.00; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE AMENDMENT OF THE EXISTING AST MASTER SERVICES AGREEMENT FOR THE REVISION TO THE PAYMENT SCHEDULE AND PERFORMANCE PERIOD FOR THE PROJECT.

WHEREAS, on January 15, 2020, the City Commission passed and adopted Resolution No. R-2020-024, authorizing the appropriate City officials to execute an Amendment to the existing Master Service Agreement ("Amendment Agreement") with AST, LLC. ("AST") to purchase an Oracle Community Development Suite Software ("OCDSS") and implement an Oracle Enterprise Resource Planning ("ERP") system with modules for the City's Department of Development Services; and

WHEREAS, the Amendment Agreement to the existing AST Master Services Agreement was entered into on April 9, 2020 with terms and conditions that provide, among other items, for an initial one-year term with the option to renew for nine additional one year renewal periods, and has an annual renewal date of April 8; and

WHEREAS, due to outlining issues between the City's original agreement for the City's ERP as well as resolving implementation matters for the Oracle Community Development system, the City Manager extended the Amendment Agreement until July 13, 2021 pursuant to Section 38.49 of the Procurement Code; and

WHEREAS, in reviewing the existing payment schedule attached as Exhibit "C" to the Amendment Agreement, Oracle proposed to modify the payment schedule as more specifically set forth in the attached Exhibit "C"; and

WHEREAS, the proposed revised Exhibit "C" prorates the cost for year one of \$181,452.00 and shifts the remaining year one cost and associated milestones to year two and year three, thereby establishing a revised cost of \$744,755.00 for year two and \$194,775.00 for year three for a total three year cost of \$1,121,002.00 and a cost savings of \$57,323.00; and

WHEREAS, in reviewing the performance time periods for both the City's ERP and the OCDSS, it was determined by the parties that it is more efficient to have the performance dates coincide to an end date of November 27, 2029, which is reflected in the attached First Amendment to the Amendment Agreement in the Additional Attachment to Exhibit "C"; and

WHEREAS, Section 38.49(C)(1) of the Code of Ordinances requires that when contracts are initially approved by the City Commission and the renewal amount exceeds \$250,000.00, then such renewal shall be approved by the City Commission; and

WHEREAS, the Director of Development Services, Information Technology Director and the Chief Procurement Officer recommend that the City Commission authorize the first renewal of the Amendment Agreement approved initially by Resolution No. R-2020-024, and authorize appropriate City officials to execute the attached First Amendment to the Amendment Agreement; and

WHEREAS, funding for this project has been included in the amended FY 2021 Capital Improvement Plan and is available in account number 334.149901.54100.564420.001343.000.000; and

WHEREAS, award is subject to the City receiving updated insurance documentation and required endorsements and approved by the City's Risk Manager, along with signed statements 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 the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in the Resolution.

Section 2: That it approves and authorizes the first renewal of the Amendment to Agreement under the same terms and conditions established pursuant to Resolution No. R-2020-024 except for the new payment schedule and performance periods reflected in Exhibit "C" and Additional Attachments to Exhibit "C" of the attached First Amendment of the Amendment Agreement.

Section 3: That it approves and authorizes the execution, by the appropriate City officials, of the attached First Amendment to the Amendment Agreement with AST, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE FIRST RENEWAL OF THE AMENDMENT TO THE EXISTING AST MASTER SERVICES AGREEMENT FOR THE ORACLE ENTERPRISE RESOURCE PLANNING SOFTWARE (PREVIOUSLY APPROVED BY RESOLUTION NO. R-2020-024) FOR THE ORACLE COMMUNITY DEVELOPMENT SUITE SOFTWARE FOR THE DEPARTMENT OF DEVELOPMENT SERVICES BUILDING DIVISION IN AN AMOUNT NOT TO EXCEED \$744,775.00; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE AMENDMENT OF THE EXISTING AST MASTER SERVICES AGREEMENT FOR THE REVISION TO THE PAYMENT SCHEDULE AND PERFORMANCE PERIOD FOR THE PROJECT.

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

PASSED AND ADOPTED this _____ day of _____, 2021.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

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

DOUGLAS R. GONZALES
CITY ATTORNEY