



City of Apopka

CITY COUNCIL STAFF REPORT

Type of Form: Consent

Meeting Date: May 3, 2023

Department: Finance

Subject:

Purchase of Commodities/Services

Request:

Approve the issuance of sole source memos for fiscal year (FY) 2023

Summary:

The departments purchase large amounts of various commodities in its daily operations including equipment, tooling, and services throughout the year. This purchasing may be accomplished via sole source memo when only one vendor is able to provide or meet the City's requirements. In accordance with Section 107.3, of the City's Purchasing Policy:

107.3.9.8.3. SOLE SOURCE.

Sole Source procurements are proprietary and used when only one vendor is able to provide commodities, contractual services, or construction services of adequate quality or quantity that meet City's requirements, or when compatibility with existing systems requires procurement from a single source. Note: A memo of explanation must be sent to the appropriate approval authority along with the requisition documentation being attached to the purchase order. The City Administrator must give approval for the Sole Source designation. The Sole Source designation will expire each fiscal year after approval and may be renewed upon submission of a new request with documentation. Sole Source designations above \$50,000.00 must be noticed per Section 287.057(3)(c), Florida Statutes.

Contingent to any purchase order being issued, the listed pricing sources are reviewed by the appropriate departments and legal review where applicable. City Council staff report approvals, source memos and contractual information are kept on record with each purchase order issued. In accordance with Section 107.3.9.8.3 & 107.3.9.8.4. of the City's Purchasing Policy, staff requests blanket purchase order approval of the attached vendors for the purchase of the referenced commodities. The amounts shown will remain within the approved budget as designated.

Department	Vendor	Description	Amount	Pricing Source
Information Technology	ESRI	Esri GIS Software	\$100,000	Sole Source

Vendor: Esri

Department: Information Technology (within FY23 budget appropriations)

Description: Esri GIS Software

Amount requested for FY 2023: \$100,000

Pricing Source: Sole Source

Policy Requirements:

- Sole Source procurements are proprietary and used when only one vendor is able to provide commodities, contractual services, or construction services of adequate quality or quantity that meet City's requirements:
 - Sole Source Letter from Environmental Systems Research Institute, Inc. (Esri) has been provided confirming Esri, as owner and manufacturer, is the sole source provider of all U.S. domestic Small Municipal and County Government Enterprise Agreements (EA).
 - The Small Municipal and County Government EA is a bundled package of term limited software licenses and maintenance that includes the right to copy.
 - Esri is the only source that can grant a right to copy and deploy Enterprise Software. Also, domestically Esri is the only source of maintenance for all Esri software,
- Compatibility with existing systems requires procurement from a single source:
 - City of Apopka currently operates under an existing system with Esri: Master License Agreement ESRI Contract No. 2008MLA6832, Effective Date November 21, 2008.
 - The City of Apopka GIS is looking to enter into a Small Municipal and County Government Enterprise Agreement (EA) with Esri that will grant the City access to ESRI team license software on an unlimited basis including maintenance on all software being offered through the EA.
 - Esri is the software developer and sells software and services directly to the end-user, there is no other company that can provide us with the EA we are requesting.

Justification: To keep up with technology need, the City will need to update software to the Enterprise License Agreement (ELA) with Esri. The ELA will provide an upgrade to storing the City's under/aboveground utility information in what is called the Utility Network. The current way of storing data will be retired along with ArcMap soon and Utility Network will be the only alternative. Although Esri does sell the individual software licenses on the proposed EA, the packaged EA pricing being offered by Esri is better pricing than we would receive buying a la carte using the current pricing. The dollar amount is established for the upgrade, training, and implementation for the ELA with Esri.

History:

- City of Apopka and Environmental Systems Research Institute, Master License Agreement Esri. Contract No. 2008MLA6832, Effective Date November 21, 2008

Funding Source:

Approved FY23 budget

Recommended Motion:

Approve the issuance of blanket purchase orders to the referenced vendors, not to exceed budgetary appropriations.

Attachments:

- Not Applicable