

RESOLUTION 2023-020
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROVING AN EXCEPTION TO THE USE OF A COMPETITIVE PROCESS FOR AN
ENTERPRISE LICENSE AGREEMENT WITH ESRI FOR GIS SOFTWARE

WHEREAS, Section 8-161(d)(1)b. of the City Code authorizes the Purchasing Agent to negotiate the purchase of supplies and services without utilizing a competitive bidding or proposal process where the Purchasing Agent determines that although there is more than one source, the competitive process cannot reasonably be used, or if used will result in a substantially higher cost to the City, will otherwise injure the City's financial interests or will substantially impede the City's administrative functions or the delivery of services to the public; and

WHEREAS, in 1994, the City used a competitive process to select ESRI as the City's geographic information system ("GIS") software solution (the "Software"); and

WHEREAS, over the course of more than 25 years, the City has integrated the use of the Software into multiple aspects of the City's operations to provide City Council, staff, and the public with reliable GIS information; and

WHEREAS, City staff also uses the Software to provide information to City Council to assist it in making decisions on ordinances and policy matters; and

WHEREAS, the City utilizes other software solutions that must be integrated with the Software to work properly, such as Utilities Services' asset management software, Development Review Department's workflow software, and Access Fort Collins; and

WHEREAS, the City desires to continue to use the Software, which is in the City's best interests and will save significant time and cost; and

WHEREAS, the estimated total cost for the Software license for an additional term of three years is \$510,000; and

WHEREAS, funding for the license for 2023 is estimated to be \$170,000, and such funds are authorized in the current budget to come from the Data and Communications Fund;

WHEREAS, the estimated cost for 2024 and 2025 is \$170,000 per year; and

WHEREAS, funding for 2024 and 2025 will be requested through the Budgeting for Outcomes Process; and

WHEREAS, the City's Purchasing Agent has determined that although there is more than one source for GIS software solutions, the competitive process, if used, would result in a substantially higher cost to the City, would otherwise injure the City's financial interests, and would substantially impede the City's administrative functions or the delivery of services to the public; and

WHEREAS, the City Purchasing Agent and other City staff recommend the adoption of this Resolution; and

WHEREAS, the Purchasing Agent has submitted the requisite justification to the City Manager for approval; and

WHEREAS, the City Manager has reviewed and approved the justification for this acquisition; and

WHEREAS, Section 8-161(d)(3) of the City Code requires prior approval of this purchasing method by the City Council for all procurements which exceed \$200,000.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the City Council hereby approves the purchase of a three-year Enterprise License Agreement from ESRI, as an exception to the City's competitive purchasing process requirements, for the reasons set forth herein.

Section 3. That the Purchasing Agent may use this approval, as authorized in City Code Sections 8-161(d)(4), as the basis for negotiating the additional purchase of services from ESRI for up to two additional years, extending through May 2028.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 21st day of February, 2023.

Mayor

ATTEST:

City Clerk