

PALM BEACH COUNTY
BOARD of COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: 11/1/11

Consent
 Ordinance

Regular
 Public Hearing

Department Submitted by: Information Systems Services
Submitted for: Information Systems Services

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve:

- A) Thirteenth Amendment to contract with CGI Technologies and Solutions, Inc. (CGI-AMS) (formerly named American Management Systems, Inc.) (R2002-1782), to extend the ending date from December 31, 2011 to December 30, 2012, at no additional cost to the County;
- B) Fourteenth Amendment to contract with CGI-AMS (formerly named American Management Systems, Inc.) (R2002-1782), to extend the ending date of Statement of Work No. 4 from September 2 to November 15, 2011, at no additional cost to the County; and
- C) Fifteenth Amendment to contract with CGI-AMS (formerly named American Management Systems, Inc.) (R2002-1782), to revise the software maintenance schedule applicable to this contract for the five (5) year period October 1, 2011 through September 30, 2016, at a total cost of \$3,102,904.

Summary: The Thirteenth Amendment is a date extension to allow additional time for completion of the deliverables specified in the original contract, including Vendor Self Service and modification No. 11. The Fourteenth Amendment is a date extension to allow additional time for completion of deliverables specified in Statement of Work No. 4 for the development and installation of enhancements to the functionality of the County's Advantage Financial System. The Fifteenth Amendment renews the annual software and technical update maintenance contract for the Advantage financial system for the five (5) year period October 1, 2011 through September 30, 2016. CGI-AMS is not a Palm Beach County or a Florida-based business. Countywide (PK)

Background and Justification: On October 2, 2002, the Board approved the migration of the County's Financial System from the mainframe-based LGFS version to the web-based Advantage System. The implementation and installation of the Vendor Self Service module is still pending due to a mutual decision by the County and the vendor to delay the project until the release of a later software version. The Thirteenth Amendment extends the contract to provide additional time required for work on the Vendor Self Service module now scheduled for completion in 2012.

Broward County is currently implementing the Vendor Self Service module for their Advantage Financial System, and this time extension will enable Palm Beach County to evaluate Broward County's experience implementing and using this module. The Thirteenth Amendment also provides additional time for Modification No. 11, which will provide the ability to systematically process mass reorganizations or changes in Fund types in an efficient manner.

Continued on Page 3.

Attachments:

- 1. Two original Amendment No. 13 documents
- 2. Two original Amendment No. 14 documents
- 3. Two original Amendment No. 15 documents

Recommended by: Steve Bordecon 10/27/2011
 Department Director Date

Approved by: [Signature] 10/26/11
 County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Capital Expenditures	\$0	0	0	0	0
Operating Costs	\$570,949	\$605,205	\$623,362	\$642,063	\$661,325
External Revenues	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Program Inc (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
NET FISCAL IMPACT	\$570,949	\$605,205	\$623,362	\$642,063	\$661,325

Additional FTE Positions (Cumulative) 0 0 0 0 0

Is Item Included in Current Budget Yes X No

Budget Account Number(s): Fund: 0001 Dept:760 Unit:7606 Obj:4674

B. Recommended Sources of Funds / Summary of Fiscal Impact

C. Department Fiscal Review: Robt Seal 10/17/11

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:

N. Williams 10/12/11
 OFMB
 WS 10-12-11
 10/12/11

Dr. J. Jacobson 10/28/11
 Contract Administration

These Amendments comply with our review requirements.

B. Legal Sufficiency:
Paul F. Jones 10/31/11
 Assistant County Attorney

C: Other Department Review:

_____ Department Director

Background and Justification: *(continued from Page 1)*

The Fourteenth Amendment extends the expiration date for Statement of Work No. 4 until November 15, 2011. This will provide additional time for completion of new security features in the Advantage Financial System.

The Fifteenth Amendment renews the software maintenance cost schedule for this contract for the five (5) year period October 1, 2011 through September 30, 2016 at a total cost of \$3,102,904. Our software maintenance contract with the vendor provides technical support for the Advantage Financial System and entitles the County to upgrade to future baseline software releases at no additional cost.

ISS staff and managers conducted an extensive survey of other CGI-AMS customers around the United States to analyze the software maintenance costs paid by other, similarly sized government organizations. We also engaged in a series of telephone conference calls and face-to-face meetings with ACS representatives to renegotiate this contract with the goal of resetting our baseline annual amount and limiting future year cost escalations in order to substantially reduce the costs associated with this contract. The result of these efforts is a savings to the County of \$151,771 in the first year of the contract and a total savings over the life of the contract exceeding \$732,000.

**THIRTEENTH AMENDMENT to
CONTRACT FOR PROFESSIONAL/MAINTENANCE SERVICES and
SOFTWARE LICENSE AGREEMENT between
PALM BEACH COUNTY and
CGI TECHNOLOGIES AND SOLUTIONS INC.
(formerly named AMERICAN MANAGEMENT SYSTEMS, INCORPORATED)
(Contract No. R2002 1782)**

THIS THIRTEENTH AMENDMENT is made and entered into this ____ day of _____, 2011, by and between Palm Beach County, a political subdivision of the State of Florida (the "COUNTY") and CGI Technologies and Solutions Inc. (formerly named American Management Systems, Incorporated) (the "CONTRACTOR"), whose Federal I.D. is 54-085677.

WHEREAS, the parties have entered into that certain Contract dated October 1, 2002, hereinafter referred to as the "CONTRACT," under which the CONTRACTOR is to provide professional and maintenance services and a software license for AMS Advantage[®] 3.x; and

WHEREAS, the CONTRACTOR and the COUNTY require additional time to complete the deliverables specified in the original contract, Exhibit A, Attachment E, including vendor self-service and modification No. 11;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants contained herein, and other good and valuable consideration, the receipt of which the parties hereby expressly acknowledge, the parties hereto covenant and agree to the following terms and conditions:

1. Exhibit "A" – Statement of Work, Section 1, Effective Date and Schedule, of this STATEMENT OF WORK, the first paragraph, as previously amended, is hereby amended and restated in its entirety as follows:

This STATEMENT OF WORK is effective as of October 1, 2002 through December 30, 2012.

2. All other provisions of said CONTRACT, as amended, are hereby confirmed, and except as provided herein, are not otherwise altered or amended and shall remain in full force and effect.

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IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida, has made and executed this THIRTEENTH AMENDMENT to the CONTRACT on behalf of the COUNTY and CONTRACTOR has hereunto set its hand the day and year written above.

ATTEST:
SHARON R. BOCK, Clerk & Comptroller

By: _____
Deputy Clerk

PALM BEACH COUNTY, BOARD OF
COUNTY COMMISSIONERS
Karen T. Marcus, CHAIR

By: _____

Karen T. Marcus, Chair

WITNESS:

Bessie Weingarten
Signature

Bessie Weingarten
Name (type or print)

CONTRACTOR:
CGI Technologies and Solutions Inc.

Joseph C. Figini
Signature

JOSEPH C. FIGINI
Name (type or print)

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: Paul F. [Signature]
County Attorney

(Corporate Seal)

APPROVED AS TO TERMS AND
CONDITIONS

By: Steve Bordelon
ISS Director

**FOURTEENTH AMENDMENT to
CONTRACT FOR PROFESSIONAL/MAINTENANCE SERVICES and
SOFTWARE LICENSE AGREEMENT between
PALM BEACH COUNTY and
CGI TECHNOLOGIES AND SOLUTIONS INC.
(formerly named AMERICAN MANAGEMENT SYSTEMS, INCORPORATED)
(Contract No. R2002 1782)**

THIS FOURTEENTH AMENDMENT is made and entered into this ___ day of _____, 2011, by and between Palm Beach County, a political subdivision of the State of Florida (the "COUNTY") and CGI Technologies and Solutions Inc. (formerly named American Management Systems, Incorporated) (the "CONTRACTOR"), whose Federal I.D. is 54-085677.

WHEREAS, the parties have entered into that certain Contract dated October 1, 2002, hereinafter referred to as the "CONTRACT," under which the CONTRACTOR is to provide professional and maintenance services and a software license for AMS Advantage® 3.x; and

WHEREAS, pursuant to the Contract the parties have entered into Statement of Work No. 4 authorizing CGI to assist the COUNTY in implementing the Page Security model and new baseline security and workflow functionality in the COUNTY's 3.8 Advantage Financial application;

WHEREAS, the CONTRACTOR and the COUNTY require additional time to complete the deliverables specified in Statement of Work No. 4;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants contained herein, and other good and valuable consideration, the receipt of which the parties hereby expressly acknowledge, the parties hereto covenant and agree to the following terms and conditions:

1. Statement of Work No. 4, Section 1, Effective Date of this Statement of Work, is hereby amended to change the expiration date of the Statement of Work until November 15, 2011.
2. All other provisions of said Statement of Work, as amended, are hereby confirmed, and except as provided herein, are not otherwise altered or amended and shall remain in full force and effect.

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida, has made and executed this FOURTEENTH AMENDMENT to the CONTRACT on behalf of the COUNTY and CONTRACTOR has hereunto set its hand the day and year written above.

ATTEST:


SHARON R. BOCK, Clerk & Comptroller

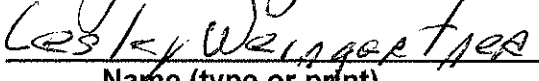
By: _____
Deputy Clerk

**PALM BEACH COUNTY, BOARD OF
COUNTY COMMISSIONERS
KAREN T. MARCUS, CHAIR**

By: _____
Karen T. Marcus, Chair

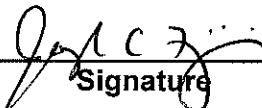
WITNESS:

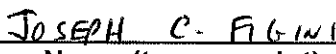


Signature


Name (type or print)


**CONTRACTOR:
CGI Technologies and Solutions Inc.**



Signature


Name (type or print)

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: 

County Attorney

(Corporate Seal)

**APPROVED AS TO TERMS AND
CONDITIONS**

By: 

ISS Director

**15th AMENDMENT to
CONTRACT FOR PROFESSIONAL /MAINTENANCE SERVICES and
SOFTWARE LICENSE AGREEMENT between
PALM BEACH COUNTY and
CGI TECHNOLOGIES AND SOLUTIONS INC.
(Contract No. R2002 1782)**

THIS 15th AMENDMENT is made and entered into this _____ day of _____, 2011, by and between Palm Beach County, a political subdivision of the State of Florida (the "COUNTY") and CGI Technologies and Solutions Inc. (the "CONTRACTOR").

WHEREAS, the parties have entered into that certain Contract dated September 30, 2001, hereinafter referred to as the "CONTRACT", under which the CONTRACTOR is to provide professional and maintenance services and a Software license for AMS Advantage® 3.x; and

WHEREAS, the CONTRACTOR and the COUNTY agree to further amend the CONTRACT;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein contained, and other good and valuable consideration, the receipt of which the parties hereby expressly acknowledge, the parties hereto covenant and agree to the following terms and conditions:

1. Exhibit C.1.A, Maintenance Agreement is hereby deleted and replaced in its entirety with the attached Exhibit C.1.A. Maintenance Payments to CONTRACTOR for the period of October 1, 2011 through September 30, 2016 shall be as noted below:

<u>Maintenance Period</u>	<u>Total Annual Fee</u>
October 1, 2011 thru September 30, 2012	\$570,949
October 1, 2012 thru September 30, 2013	\$605,205
October 1, 2013 thru September 30, 2014	\$623,362
October 1, 2014 thru September 30, 2015	\$642,063
October 1, 2015 thru September 30, 2016	\$661,325

COUNTY may purchase maintenance services for the Software for subsequent Maintenance Periods in which CGI is offering maintenance services, at CGI's then current prices.

2. All other provisions of said CONTRACT, as amended, are hereby confirmed and except as provided herein, are not otherwise altered or amended and shall remain in full force and effect.

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida, has made and executed this 15th AMENDMENT to the CONTRACT on behalf of the COUNTY and the CONTRACTOR has hereto set its hand the day and year written above.

ATTEST:

SHARON R. BOCK, Clerk & Comptroller

By: _____
Deputy Clerk

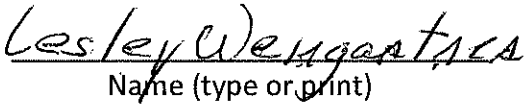
PALM BEACH COUNTY, BOARD OF
COUNTY COMMISSIONERS,
CHAIRPERSON

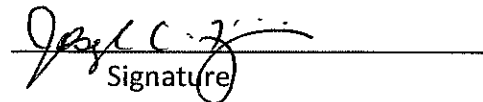
WITNESS:

By: _____
Karen T. Marcus, Chairperson


Signature

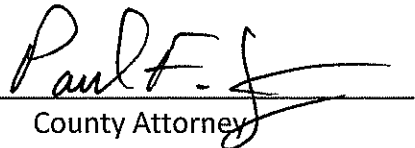
CONTRACTOR:
CGI Technologies and Solutions Inc.


Name (type or print)


Signature

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

JOSEPH C. FIGINI
Name (Type or print)

By: 
County Attorney

(Corporate Seal)

APPROVED AS TO TERMS AND CONDITIONS


By: 
ISS Director

EXHIBIT C.1.A
CGI TECHNOLOGIES AND SOLUTIONS INC.
Proprietary Software Maintenance Agreement

1. Maintenance Period. The Maintenance Period is the period beginning October 1, 2011 and ending September 30, 2016.

2. Maintenance Fee. The maintenance fee for the period shall be:

<u>Maintenance Period</u>	<u>Total Annual Fee</u>
October 1, 2011 thru September 30, 2012	\$570,949
October 1, 2012 thru September 30, 2013	\$605,205
October 1, 2013 thru September 30, 2014	\$623,362
October 1, 2014 thru September 30, 2015	\$642,063
October 1, 2015 thru September 30, 2016	\$661,325

After September 30, 2016, County may buy maintenance services for the Software in which CGI is offering maintenance services, at CGI's then current rates.

3. Software. The maintenance services under this Agreement are provided with respect to the following Software:

AMS Advantage Financial Management System, including the following modules:

- Financial Management Base System
- Project and Grants Management
- Asset Management
- Inventory Management
- Treasury Accounting

AMS Advantage BRASS

AMS Advantage Procurement System, including the following modules:

- Professional
- Vendor

Versata Logic Server (1 user license in object code form only)

Versata Logic Studio (2 user license in object code form only)

Adobe Present Central Pro (1 user license)

Adobe Present Output Designer (1 user license)

Pervasive Data Integrator Pro Development™ 2 CPU License multi-threaded

Pervasive Data Integrator Pro Engine™ 2 CPU License single-threaded
 (formerly Data Junction)

Monsell EDM (DELTAXML)

1099 Convey Desktop Edition

Adobe RoboHelp® Office (1 user license)

EXHIBIT C.1.A
CGI TECHNOLOGIES AND SOLUTIONS INC.
Proprietary Software Maintenance Agreement

1. **Maintenance Period.** The Maintenance Period is the period beginning October 1, 2011 and ending September 30, 2016.
2. **Maintenance Fee.** The maintenance fee for the period shall be:

<u>Maintenance Period</u>	<u>Total Annual Fee</u>
October 1, 2011 thru September 30, 2012	\$570,949
October 1, 2012 thru September 30, 2013	\$605,205
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After September 30, 2016, County may buy maintenance services for the Software in which CGI is offering maintenance services, at CGI's then current rates.

3. **Software.** The maintenance services under this Agreement are provided with respect to the following Software:

AMS Advantage Financial Management System, including the following modules:

- Financial Management Base System
- Project and Grants Management
- Asset Management
- Inventory Management
- Treasury Accounting

AMS Advantage BRASS

AMS Advantage Procurement System, including the following modules:

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