


**AN ORDINANCE
BY COUNCIL MEMBER(S)**



AN ORDINANCE TO WAIVE THE SOURCE SELECTION AND PAYMENT PROVISIONS CONTAINED IN THE CITY OF ATLANTA CODE OF ORDINANCES, ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, TO RATIFY PRIOR MAINTENANCE AND SUPPORT SERVICES RECEIVED FROM MILNER TECHNOLOGIES INCORPORATED FOR THE ATLANTA POLICE DEPARTMENT UNISEARCH IMAGEDIRECTOR DOCUMENT MANAGEMENT SYSTEM, AND TO AUTHORIZE THE MAYOR OR HIS DESIGNEE TO ENTER INTO SOLE SOURCE AGREEMENT NUMBER FC-9417 WITH MILNER TECHNOLOGIES INCORPORATED FOR CONTINUED UNISEARCH IMAGEDIRECTOR SYSTEM MAINTENANCE AND SUPPORT SERVICES, ON BEHALF OF THE DEPARTMENT OF ATLANTA INFORMATION MANAGEMENT AND PURSUANT TO SECTION 2-1191 OF THE CITY OF ATLANTA CODE OF ORDINANCES, FOR ONE (1) YEAR, EFFECTIVE JANUARY 1, 2017 TO DECEMBER 31, 2017, WITH THREE (3) ONE-YEAR RENEWAL TERM OPTIONS, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SIXTY-ONE THOUSAND, SEVEN HUNDRED THIRTY DOLLARS AND NO CENTS (\$161,730.00), ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM THE FUNDING NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.

WHEREAS, Milner Technologies Incorporated (“MTI” or “The Vendor”), formerly known as Com Squared Systems, Inc. (“Com Squared”), UniSearch ImageDirector Document Management System (“UniSearch ImageDirector System”) is used by the City of Atlanta Police Department (“APD”) for the management of documentary evidence required for the investigation and prosecution of crimes; and

WHEREAS, the Chief Procurement Officer has determined, pursuant to Atlanta City Code Section 2-1191, that MTI is the sole source provider of software and hardware support services necessary for maintaining and/or upgrading the UniSearch ImageDirector System; and

WHEREAS, during the City of Atlanta’s 2015 Legislative Calendar, the Department of Atlanta Information Management (“AIM”) submitted Resolution 15-R-4486 to the City Council’s Finance/Executive Committee (“F/EC”) for consideration at the Legislative Cycle 21 F/EC Meeting on December 2, 2015; and

WHEREAS, Resolution 15-R-4486 sought authorization to exercise the first Renewal Term Option for Sole Source Agreement Number FC-7944 (“Agreement Number FC-7944”) with MTI, for UniSearch ImageDirector System annual support services, effective January 1, 2016 to December 31, 2016, with two (2) remaining one-year renewal term options, in an amount not to exceed One Hundred Sixty-One Thousand, Seven Hundred Thirty Dollars and No Cents (\$161,730.00); and

WHEREAS, all F/EC Councilmembers in attendance voted unanimously via a roll call to recommend Resolution 15-R-4486 as favorable during the Legislative Cycle 21 F/EC Meeting on December 2, 2015, however, Resolution 15-R-4486 was erroneously labelled as “filed” after said F/EC Meeting ended; and

WHEREAS, Resolution 15-R-4486 was subsequently filed at the Full Council Meeting on December 7, 2015, and as a result, Agreement Number FC-7944 was not authorized for the 2016-2017 Renewal Term and Agreement Number FC-7944 expired on December 31, 2016, unbeknownst to AIM or the user agency; and

WHEREAS, as a result of this misunderstanding, MTI provided services to the City for the period January 1, 2016 through December 31, 2016 despite the lack of a duly authorized contract; and

WHEREAS, the Chief Information Officer and the Chief Procurement Officer now recommend entering into new Sole Source Agreement Number FC-9417 (“Agreement Number FC- 9417”) with MTI, on behalf of AIM, pursuant to Code Section 2-1191, *et seq.*, to purchase one (1) year of UniSearch ImageDirector System maintenance and support services, effective January 1, 2017 to December 31, 2017 with three (3) one-year renewal term options, in an amount not to exceed One Hundred Sixty-One Thousand, Seven Hundred Thirty Dollars and No Cents (\$161,730.00).

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, AS FOLLOWS:

SECTION 1:

That City of Atlanta and MTI Agreement Number FC-9417, is ratified with a retroactive effective date of January 1, 2017 for one (1) year of UniSearch ImageDirector System maintenance and support services on behalf of AIM, in an amount not to exceed One Hundred Sixty-One Thousand, Seven Hundred Thirty Dollars and No Cents (\$161,730.00).

SECTION 2:

The Initial Term of Agreement Number FC-9417 is for one (1) year, effective January 1, 2017 to December 31, 2017, with three (3) one (1) year renewal term options to be exercised at the City’s sole discretion.

SECTION 3:

The prior provision of services for the period January 1, 2016 through December 31, 2016 in the amount of One Hundred Sixty-One Thousand, Seven Hundred Thirty Dollars and No Cents (\$161,730.00) is hereby ratified;

SECTION 4:

Article X, Real Estate and Procurement Code, of the City of Atlanta Code of Ordinances, specifically including and without limitation, “Division 4 - Sources Selection and Contract Formation” is hereby waived to the extent applicable to meet the intent and purpose of this ordinance.

SECTION 5:

That the agreement will not become binding on the City and the City will incur no obligation or liability under it until it has been duly executed by the City and delivered to Milner Technologies Incorporated.

SECTION 6:

That all Fiscal Year 2017 contracted work shall be charged to and paid from the following Fund, Department Organization, Account, and Function Activity (“FDOA”) numbers:
1001 (General Fund) 050202 (IT Applications) 5213001 (Consulting/Professional Services-Technical)
1535000 (Data Processing/Management Information System).

SECTION 7:

All ordinances or parts or ordinances and sections of the City of Atlanta Code of Ordinances in conflict herewith are waived to the extent of the conflict.

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- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2ND READ & REFER
- PERSONAL PAPER REFER

Date Referred: *11/21/2016*
 Referred To: *Fin./ Exec.*
 Date Referred:
 Referred To:
 Date Referred:
 Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
 Readings
 Consent V Vote RC Vote

[Handwritten signature]

Committee _____
 Date _____
 Chair _____
 Action
 Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____

 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action
 Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____

 Refer To _____

CERTIFIED

Committee _____
 Date _____
 Chair _____
 Action
 Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____

 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action
 Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____

 Refer To _____

MAYOR'S ACTION