

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: ERIC MCHENRY, CHIEF INFORMATION OFFICER
INFORMATION TECHNOLOGY DEPARTMENT
DEBORAH LAUCHNER, CHIEF FINANCIAL OFFICER
FINANCE DEPARTMENT
SUBJECT: FOURTH AMENDMENT - DIGITAL GOVERNMENT / OPEN DATA
AGREEMENT WITH SOCRATA, INC.

AGENDA ACTION: MOTION

RECOMMENDATION

It is recommended by the Information Technology and Finance Departments that the Council, by motion, (1) ratify all contracts, amendments and Purchase Orders made with Socrata, Inc., Seattle, WA, to date, (2) approve a Fourth Amendment to Agreement Number F001090 with Socrata, Inc., Seattle, WA, to extend the contract for an additional one year, and (3) add additional funding, for a total renewal amount of \$114,128.40, and a total cumulative contract amount of \$244,797.90.

EXECUTIVE SUMMARY

The City utilizes several products and services from Socrata, Inc., key to open data and digital government services. This amendment extends the current agreement by one additional year. In addition, the Council is being asked to ratify all contracts, amendments and Purchase Orders to date.

BACKGROUND

The City utilizes services and several products from Socrata, Inc key to open data and digital government services.

- Open Data Platform – data.srcity.org open data application
- Open Budget Platform – budget.srcity.org open budget application
- Performance Measures Platform – new performance measures application, launching in 2017.

This program began in 2014, with the first year designated as a separate pilot project to determine if the services and products were acceptable and should be continued.

PRIOR CITY COUNCIL REVIEW

Not applicable

ANALYSIS

An initial pilot program using Socrata software was instituted in 2014 to determine if the program could provide the City with the tools to implement open government data access. This pilot program was approved by the Purchasing Agent and the City Attorney in the form of a signed quote. Socrata was selected as the vendor for the pilot program based on the goal of presenting a common public-facing Open Data platform, database and user experience with the County of Sonoma who earlier selected Socrata for a similar pilot. The County of Sonoma has also subsequently moved forward with full implementation of the Socrata Open data platform and continues to share data with the City of Santa Rosa Open Data portal. The full criteria for the vendor selection is described in a Vendor Preference document attached to the purchasing record and continued as the basis of vendor award for subsequent purchases. The pilot program was considered to be a stand-alone program and was inadvertently left out of the calculations for cumulative spend with this vendor. The pilot program ended in September 2015.

An initial General Services contract was issued to the vendor on December 30, 2015 to enable the City to continue using the product as we worked to establish appropriate data to include and important service measurements that could be supported with data. This contract was properly approved by the City Manager.

On April 27, 2016, the contract was amended to add services. This amendment was properly approved by the City Manager. On this same date, a third amendment to the contract adding additional services as well was approved by the Deputy City Manager. Due to the fact that staff inadvertently left the pilot program out of the cumulative spend calculation, this approval was outside of the City Manager's delegated authority and should have been approved by the Council. This contract expired on December 30, 2016.

On November 1, 2016, staff realized the contract would expire and they needed additional time to complete the approval process. According to past practice, the Purchasing Agent approved a "bridge purchase order" to cover the impending gap period in order to allow the department to get through the contract approval process. As the contract had expired, staff viewed this as a separate agreement and did not consider the cumulative spend with this vendor.

The current amendment is to add one additional year and the appropriate funding for this program to continue.

SOCRATA CONTRACT EXTENSION
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A chart of contract activities is below:

<u>Award/Amendment</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>	<u>Authorization</u>	<u>Total</u>
Purchase Order	10/10/14**	Pilot (one-year trial)	\$11,988.00	Purchasing Agent	\$11,988.00
Contract Award*	12/30/15	Award (one-year term)	\$43,985.50	City Manager	\$55,973.50
First Amendment*	4/27/16	Insurance Update	\$0	Deputy City Mgr	\$55,973.50
Second Amendment*	4/27/16	Add Services	\$2,700.00	Deputy City Mgr	\$58,673.50
Third Amendment*	4/27/16	Add Services	\$49,636.00	Deputy City Mgr	\$108,309.50
Purchase Order*	11/1/16	Continuation of Services	\$22,360.00	Purchasing Agent	\$130,669.50
Fourth* Amendment	pending	1-year extension	\$114,128.40	City Council	\$244,797.90
	Total Cumulative Value Pending Fourth Amendment		<u>\$244,797.90</u>		

* Because the Contract dated 12/30/15 was treated as the original agreement, the numbering of amendments has been based on that action. Purchase Orders were not designated as contracts or amendments.

** Agreement signed 9/22/14.

City Code Section 3-08.110 provides: the award authority of the Council (over \$100,000); the City Manager (equal to or less than \$100,000) and the Purchasing Agent (equal to or less than \$50,000 and not applicable to Professional Services Agreements). Modifications to Professional Services Agreements may be made by the City Manager if the cumulative total of all modifications are within his or her award authority. Because the total amount of the award and modifications to the Socrata contract exceeded authority limitations, staff is requesting that Council ratify the amounts approved under the prior contracts, amendments and Purchase Orders.

This fourth amendment will add one additional year, expiring one year from date of approval.

NEXT STEPS

Staff is working diligently to ensure we correct these types of mistakes. We are currently working with our Accounts Payable and Purchasing Divisions in the Finance Department to analyze procurements Citywide. Due to the fact that we do not have a centralized purchasing function, understanding department procurement has not been an easy task. Our first step is to identify where we are vulnerable and what we may need to ratify in the future. Next, we need to work with the City Attorney's office to create a Citywide procedure regarding approval processes, types of agreements and the time frames for these agreements that should be included in the cumulative spend calculations. Finally, we need to ensure all personnel in the City that do any type of procurement are trained to the procedure.

FISCAL IMPACT

Funds for these services are included in the Information Technology Department Fiscal Year 2016-17 adopted budget, and as a regular operating expenditure will be included in future fiscal year budgets when presented to the Council.

ENVIRONMENTAL IMPACT

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guideline section 15378.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable

NOTIFICATION

Not applicable.

ATTACHMENTS

- Attachment 1 – Fourth Amendment
- Attachment 2 – Original Agreement dated 9/22/14, with Terms & Conditions

CONTACT

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