



**PURCHASING ITEM
FOR
COUNCIL AGENDA**

1. Agenda Item Number:

47

2. Council Meeting Date:

June 28, 2007

TO: **MAYOR & COUNCIL**

3. Date Prepared: May 30, 2007

THROUGH: **CITY MANAGER**

4. Requesting Department: City Manager

5. **SUBJECT:** Approve extension of a sole source agreement for maintenance and support of Progress software in an amount not to exceed \$34,179.

6. **RECOMMENDATION:** Recommend approval of an extension of a sole source agreement for maintenance and support of Progress software in an amount not to exceed \$34,179.

7. **HISTORICAL BACKGROUND/DISCUSSION:** The City of Chandler's Law, Police and Courts Departments share access to the Criminal Justice Information System [CJIS] for law enforcement and case tracking requirements. The CJIS system is primarily built on the Progress Software platform. Progress is the only provider of Progress maintenance. This maintenance provides technical support, software patches and upgrades to stay current with technology and ensure application availability. Therefore, it is recommended that a sole source purchase be awarded to Progress.

8. **EVALUATION PROCESS:** Documentation has been acquired to verify that Progress Software is the developer and the only authorized distributor of the Progress software licenses. Based on this information, staff recommends the approval of this procurement.

9. **FINANCIAL IMPLICATIONS:** Funds are available from the following account: 101.1280.0000.5419. ITJCIS General Funds, IT Infrastructure & Client Support, Other Equipment R&M, IT Criminal Justice Information System \$34,179.

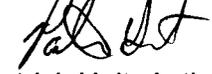
10. **PROPOSED MOTION:** Move to approve the extension of a sole source agreement for maintenance and support of Progress software in an amount not to exceed \$34,179.

APPROVALS

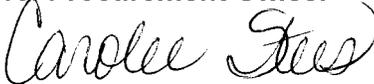
11. Requesting Department


Rick Taylor, Applications Manager

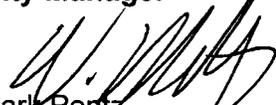
12. Department Head


Patrick Hait, Acting Chief Information Officer

13. Procurement Officer


Carolee Stees, CPPB

14. City Manager


W. Mark Pentz

**AMENDMENT NUMBER ONE
TO AGREEMENT BETWEEN THE CITY OF CHANDLER AND PROGRESS SOFTWARE
CORPORATION FOR LICENSING AND SUPPORT**

This Amendment #ONE to that certain Agreement Between the City Of Chandler and PROGRESS SOFTWARE CORPORATION for Software Maintenance dated July 27, 2006 between the City of Chandler (CITY) and Progress Software Corporation is entered into this _____ day of May, 2007.

NOW THEREFORE, the parties agree as follows:

1. The term of this agreement is amended to extend the term of the Agreement from July 1, 2007 through June 30, 2008.
2. All other terms and conditions of the above referenced Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names this _____ day of May, 2007.

CITY OF CHANDLER:

PROGRESS SOFTWARE CORPORATION

By: _____
Mayor

By: _____
Title: _____

APPROVED AS TO FORM:

City Attorney *[Signature]*

ATTEST: (if corporation)

ATTEST:

City Clerk

Secretary

WITNESS: (If individual or Partnership)

[SEAL]

AMENDMENT NUMBER ONE
TO THE LICENSING AND SUPPORT AGREEMENT BETWEEN THE CITY OF CHANDLER AND
PROGRESS SOFTWARE CORPORATION

This Amendment Number One to the Licensing and Support Agreement between the City of Chandler and Progress Software Corporation dated and signed September 11, 2006 effective July 31, 2006 through June 30, 2007 (the "Agreement") is entered into between the City of Chandler ("Licensee") and Progress Software Corporation ("PSC").

NOW THEREFORE, the parties agree as follows:

"Maintenance and Payment. Licensee agrees to pay PSC \$32,366.00 to receive PSC's Basic level of maintenance from July 1, 2007 through June 30, 2008 for the PSC Products identified in the Maintenance Renewal Form attached as Exhibit A hereto. PSC's Basic Support level of maintenance is further described in Exhibit B attached hereto."

1. The maintenance amount set forth above shall be due and payable to PSC within thirty (30) days of the Effective Date of this Amendment.
2. All other terms and conditions of the above referenced Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names this _____ day of June, 2007.

CITY OF CHANDLER

PROGRESS SOFTWARE CORPORATION

By: _____
Mayor

By: _____
Title: _____

APPROVED AS TO FORM:

Kandice K. M. Jee
City Attorney

ATTEST: (If corporation)

ATTEST:

Secretary

City Clerk

WITNESS: (If individual or
Partnership)

[SEAL]

Exhibit A

Maintenance Renewal Order Form	Date	06/01/07
	Page	1

10008121

To:

Monique Bond CPPB
City of Chandler
275 E Buffalo St
Chandler, AZ 85225- 8507
USA

Address Inquiries/order to:

Rebecca Smith
rsmith@progress.com
Phone:781- 280- 4571
Fax:781- 280- 4215

It is time to renew your Progress maintenance contract! Our records indicate that your support contract is expiring, or has already expired. By renewing today, you will ensure that your business is protected, and that you will continue to enjoy uninterrupted access to the following important benefits:

- Software patches, updates, and upgrades
- Unlimited number of calls and contacts to Progress Technical Support
- License investment protection
- Remote diagnosis of technical situations and problem isolation, reporting, and tracking
- Submittal of service requests via web, email, or phone
- Online access to Technical Support for logging, updating, tracking, and escalating service requests
- Access to the Knowledge Center, a technical support database that includes real- world solutions
- A standard subscription to the Progress Software Developers Network (PSDN)
- Multi- vendor, multi- platform support
- Certification of Progress products on new versions of supported operating systems
- Access to Progress Technical Support at 781- 280- 4999 or www.progress.com/support

Experience the peace of mind that only 24X7 Technical Support can provide. Please visit:
http://www.progress.com/progress/tech_support/support_services/docs/extended_support.pdf
for more information about this reasonably priced support offering.

Is your business correctly licensed? Progress will provide assistance in certifying your license usage. Contact your Account Manager for more information on this free service.

To renew online, please visit our web site: www.progress.com/custserv

Please process this support contract renewal for the items indicated.
I understand that these prices are valid until 06/22/07, and that maintenance is non- refundable once invoiced.

Payment Method		Standard Payment Terms: Net 30
Purchase Order Number: _____		Check enclosed for \$: _____
Master Card: _____	American Express: _____	Visa: _____
Card: _____		Exp: _____
<i>Customer acknowledges that any and all terms and conditions included in, or attached to, a purchase order are superseded by the applicable PSC license agreement and maintenance policies.</i>		
<p>SIGNATURE <small>(required to confirm your renewal request as indicated on this form)</small></p>		

PROGRESS
S O F T W A R E

10008121

Maintenance Renewal Order Form

Date
Page

06/01/07
2 Of 2

To:

Monique Bond CPPB
City of Chandler
275 E Buffalo St
Chandler, AZ 85225- 8507
USA

Address Inquiries/order to:

Rebecca Smith
rsmith@progress.com
Phone:781- 280- 4571
Fax:781- 280- 4215

Description	Serial Number	MV	License	Count *	Current Exp Date	New Exp Date	Annual Price	Maint Cost	Reinst Amt	Tax	Total Cost	Renew? Y/N
RegisteredTo : 10008121, City of Chandler, Chandler, AZ 85225- 8507												
MaintenanceLevel : OpenEdge Basic Support												
ContractNo : 162471												
KMP :												
1	OE Studio	3768273	10	ConUsrs	3	06/30/07	06/30/08	2,430.00	2,430.00	0.00	2,430.00	
3	OE Application Sv	3768285	10	ConUsrs	5	06/30/07	06/30/08	126.00	126.00	0.00	126.00	
4	OE Studio	3768275	10	ConUsrs	1	06/30/07	06/30/08	810.00	810.00	0.00	810.00	
6	OE Enterprise RDB	3768277	10	ConUsrs	20	06/30/07	06/30/08	2,628.00	2,628.00	0.00	2,628.00	
7	OE Application Sv	3768278	10	ConUsrs	5	06/30/07	06/30/08	126.00	126.00	0.00	126.00	
10	OE Studio	3768276	10	ConUsrs	1	06/30/07	06/30/08	810.00	810.00	0.00	810.00	
11	OE Studio	3768274	10	ConUsrs	1	06/30/07	06/30/08	810.00	810.00	0.00	810.00	
12	OE Studio	3768279	10	ConUsrs	1	06/30/07	06/30/08	810.00	810.00	0.00	810.00	
13	4GL Development S	3768280	10	ConUsrs	4	06/30/07	06/30/08	2,016.00	2,016.00	0.00	2,016.00	
14	OE Enterprise RDB	3768281	10	ConUsrs	120	06/30/07	06/30/08	15,768.00	15,768.00	0.00	15,768.00	
15	4GL Development S	3768282	10	ConUsrs	1	06/30/07	06/30/08	504.00	504.00	0.00	504.00	
16	Client Networking	3768283	10	ConUsrs	20	06/30/07	06/30/08	504.00	504.00	0.00	504.00	
18	Client Networking	3768284	10	ConUsrs	120	06/30/07	06/30/08	3,024.00	3,024.00	0.00	3,024.00	
MaintenanceLevel : Extended 24x7												
2	SonicMQ Standard	3624800	6	CPUs	1	06/30/07	06/30/08	1,000.00	1,000.00	0.00	1,000.00	
8	SonicMQ Standard	3624799	6	CPUs	1	06/30/07	06/30/08	1,000.00	1,000.00	0.00	1,000.00	
											SubTotal (USD)	32,366.00
											GrandTotal (USD)	32,366.00

Exhibit B

Progress.Worldwide Technical Support Offerings



Progress Technical Support strives to help every Progress customer and partner be successful in using Progress products.

DATA SHEET

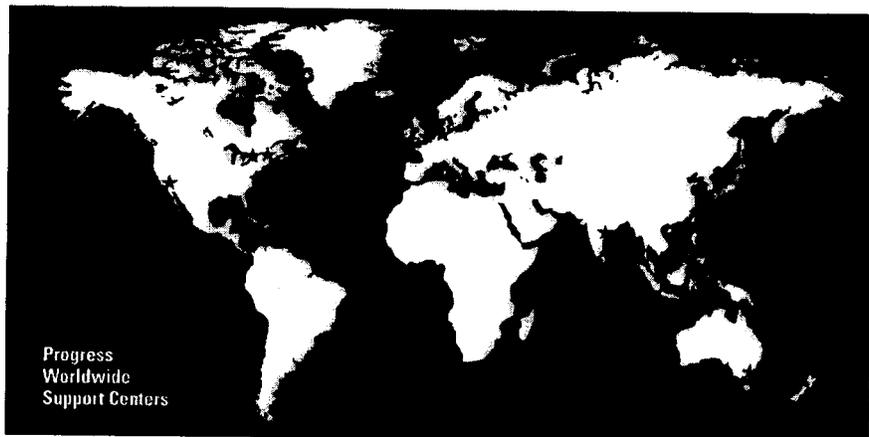
HIGHLIGHTS

- Tiered Support Services
- Support Centers located around the World
- Electronic Knowledge Center for self-service
- Access to our on-line Developers Network and related Web sites
- Electronic Software Download Capability

PRODUCT LINES

- Actional®
- Apama®
- DataXtend™
- EasyAsk®
- ObjectStore®
- OpenEdge®
- Sonic®

Progress offers round-the-clock, personalized, and electronic support services to our customers and partners. We have a truly worldwide operation, with Support Centers running in the USA, Canada, Australia, Japan, United Kingdom, Netherlands and India.



Progress offers three primary tiers of technical support and maintenance. Each with a valuable mix of personalized and electronic support capabilities designed to meet the individual needs of our clients. Our three Technical Support and Maintenance offering tiers are:

- Mission Critical Support
- Extended 24x7 Support
- Basic Maintenance

All Technical Support tiers share a common infrastructure for Hotline, Email, and Web-based access to technical support personnel and other Progress support tools and resources. By accessing our Support Knowledge Base and problem tracking systems, you can learn about product capabilities, monitor issues, and escalate needs via the Web. Our Technical Support structure provides remote diagnostic capability, which helps to provide faster problem isolation in many situations without requiring on-site support visits. Our Progress Software Developers Network (PSDN) and product-oriented Web sites provide access to whitepapers, articles, downloads and Web-based seminars for education and sharing among developers. Our new Progress Alerts and Notification System allows you to subscribe to receive notification of critical problem alerts, known solutions and new release availability via automated Email distributions. Progress also provides Electronic Software Download (ESD) capability to rapidly make available software, fixes and upgrades.

PROGRESS
SOFTWARE

MISSION CRITICAL SUPPORT

This is Progress Software's most comprehensive level of support. This offering provides our customers with access to a live Technical Support Engineer, or a maximum 30-minute call back around the clock. Mission Critical is designed for those environments where downtime must be minimal. We do this by being both proactive and personalized in our approach, which will help you to maximize your investment in Progress technology. Mission Critical includes all of the services available in Extended 24x7 Support and Basic Maintenance, but with higher service level objectives and content. A key feature of this offering is the assignment of a Technical Account Manager (TAM) to coordinate your Technical Support relationship with Progress. Your assigned TAM will maintain familiarity with your Progress installation environment. Your TAM will also provide continuity of support and an escalation coordination role across all product lines. This support tier includes: annual on-site visits, quarterly service level review conference calls, and executive service level reports, all to ensure continuity and proper focus on issues specific to your business priorities. In situations where there are round-the-clock support requirements, you can purchase additional regional Technical Account Manager support to cover multiple time zone needs. Note: You must purchase the Extended 24x7 Support tier as a pre-requisite to purchase Mission Critical Support.

EXTENDED 24x7 SUPPORT

This is Progress Software's mid-level support offering. It is designed to provide our customers with a live Technical Support Engineer or a maximum 1-hour call back, around the clock. With our Extended 24x7 support offering, you can optimize use of important IT resources, by enabling your staff to access Technical Support outside of normal business hours. This tier of support includes: priority queuing of reported issues, time based escalation of unresolved problems, and direct access to senior level technical support engineers. This support offering is designed to provide round-the-clock support, and easy access to senior level support staff.

BASIC MAINTENANCE

This is Progress Software's basic level of maintenance and technical support. This tier provides business hours access to Progress Technical Support and on-line access to key Progress technical information. Our Basic Maintenance tier provides value-added maintenance and support for Progress products that are in active or functionally stable phases of the product life cycle. As with higher tiers of support, this tier includes access to: Hot-line, Email and Web-based support options, Knowledge Center access for self-service, access to our Developer's Network, and access to Electronic Software Download (ESD) System.

UPGRADING MAINTENANCE AND SUPPORT

You may upgrade from one support tier to another at anytime.

CONTACTING TECHNICAL SUPPORT

For more information regarding how to contact Technical Support, please contact your local Progress sales office or visit us at http://progress.com/support_main.

ABOUT PROGRESS SOFTWARE

Progress Software Corporation (Nasdaq: PRGS) provides application infrastructure software for the development, deployment, integration and management of business applications. Our goal is to maximize the benefits of information technology while minimizing its complexity and total cost of ownership.

www.progress.com

Worldwide Headquarters

Progress Software Corporation, 14 Oak Park, Bedford, MA 01730 USA
Tel: +1 781 280-4000 Fax: +1 781 280-4095

For international office locations and contact information, please refer to:
<http://www.progress.com/worldwide>

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SOFTWARE

prod code 3961



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