22

SINGLE SOURCE AWARD **BID # SS-11472-22**

Subject: SOFTWARE MAINTENANCE SUPPORT AGREEMENT FOR ORACLE HRMS

Department: Information Technologies Division

Description of Purchase:
Recommend approval of Single Source Award with Oracle America, Inc. to renew annual maintenance and technical support for Oracle HRMS, Oracle Advance Benefits, and associated developer tools. The service gives the city the ability to process Employee Benefits, Payroll, and Time Management systems. Period of service will be from November 29, 2021 through November 28, 2022. Total requested expenditure not to exceed $454,117.54.

Funding Source: 53101.113002.546620.000000.00000493.00000.0000000, to be executed by purchase order(s).

Single Source Award To: Oracle America, Inc.

Price Justification: See Attached

Total Award: $454,117.54 **Requisition #** FAIT-501069-22

Attachments: Agency Memo, Single Source Form; Vendor Letter, Vendor Quote

Certification as to Single Source: Kenneth Lathrop, Chief of Information Technologies Division/CIO

THE ABOVE PURCHASE IS RECOMMENDED FOR AWARD IN ACCORDANCE WITH CHAPTER 126.206.

ANALYST: Ruben Ola

Gregory Pease, Chief
Procurement Division

APPROVAL OF GENERAL GOVERNMENT AWARDS COMMITTEE
"ALL AWARD ACTIONS SUBJECT TO LAWFULLY APPROPRIATED FUNDS"

CHAIRMAN ***DATE***

ACTION OF AWARDING AUTHORITY

DATE: _____

APPROVED_____ **DISAPPROVED** _____

OTHER _____

SIGNATURE OF AUTHENTICATION _____

FORM GB-114, Revised 12/2007

INFORMATION TECHNOLOGIES DIVISION

CITY OF JACKSONVILLE

DATE: October 12, 2021

TO: Greg Pease, Chief of Procurement Division

THRU: Kenneth E. Lathrop, Chief of Information Technologies / CIO

Kenneth E. Lathrop — Digitally signed by Kenneth E. Lathrop Date: 2021.10.12 12:24:49 -04'00'

FROM: Thomas Ossi, Technology Contract and Records Manager

THOMAS OSSI — Digitally signed by THOMAS OSSI Date: 2021.10.12 10:51:37 -04'00'

RE: **Software Maintenance Support Agreement for Oracle HRMS - Single Source Request**

The Information Technologies Division (ITD) requests approval to renew annual maintenance and technical support for Oracle HRMS, Oracle Advance Benefits, and associated developer tools from Oracle America, Inc. The service gives the city the ability to process Employee Benefits, Payroll, and Time Management systems. The period of coverage for this renewal is from November 29, 2021, through November 28, 2022.

Oracle America, Inc. is the sole source developer of all software program licenses utilized in the functionality of the proprietary programs. Research conducted found that Oracle America, Inc. is the only supplier authorized to provide technical support. The supplier submitted a sole source letter to confirm its status.

The total not-to-exceed amount for this request is $454,117.54

Tracy Geake — Digitally signed by Tracy Geake Date: 2021.10.12 11:35:44 -04'00'

Funding Source:53101.113002.546620.000000.00000493

Your favorable consideration of ITD's request is appreciated.

Attachments: Single Source Request
Supplier Quote
Supplier Single Source Letter

CC: Paul Freeman, Enterprise Applications Manager
Andre Conyers, IT Contract Administrator

SINGLE SOURCE REQUEST

Pursuant to the City of Jacksonville Procurement Code § 126.206 & § 126.312, when requesting a purchase from a Supplier subject to the referenced sections, please complete this form to justify your request and submit to Procurement with applicable attachments

PROVIDE A SUMMARY OF THE SCOPE OF GOODS/SERVICES TO BE PROVIDED; IDENTIFY EACH ITEM, COMPONENT OR SERVICE BEING PROCURED (ATTACH QUOTE/PROPOSAL):

The Information Technologies Division (ITD) requests approval to renew annual software maintenance and technical support agreement for Oracle HRMS, Oracle Advanced Benefits and associated developer tools from Oracle America, Inc. The service gives the city the ability to process Employee Benefits, Payroll, and Time Management systems.

PROVIDE A DETAILED JUSTIFICATION AS TO WHY THE REQUESTED GOODS/SERVICES CAN ONLY BE EFFICIENTLY AND EFFECTIVELY PROCURED THROUGH THE RECOMMENDED SINGLE SOURCE PROVIDER:

Oracle America, Inc owns the source code to all Oracle programs utilized for this HR solution.

ASSERT THAT YOU HAVE RESEARCHED THE AVAILABILITY OF THE REQUESTED GOODS/SERVICES FROM OTHER SOURCES IN APPLICABLE MARKETS AND HAVE DISCUSSED AND EVALUATED THE SAME WITH COJ'S PROCUREMENT AND EBO DIVISIONS:

Research conducted found that Oracle America, Inc. is the only vendor authorized to provide technical support services and the proprietary program updates created by Oracle. The supplier submitted a sole source letter to confirm its status.

REQUEST FOR APPROVAL COVER SHEET

The purpose of this cover sheet is to provide accurate information for all purchase requests submitted to the ITD Finance Manager for approval.

Background:

Oracle America, Inc. provides the software maintenance and technical support for the Oracle HRMS. The service gives the city the ability to process Employee Benefits, Payroll, and Time Management Systems.

Details:

This request is to renew annual support for the program licenses utilized in the functionality of the proprietary programs. The period of coverage is from November 29, 2021, through November 28, 2022.

One Time Request/Annual Renewal/Blanket Order Request:

Annual Renewal

Total Cost:

For this year $454,117.54 / Last year we spent $436,651.48..

ITD was budgeted for a 4% increase. Vendor senior management & ITD were able to agree on a 4% increase for FY22.

1Cloud Funding Information:

53101.113002.546620.000000.00000493

Contact(s):

Paul Freeman or Thomas Ossi

Additional Information:

ORACLE

8-Sep-21

Dear Tom Ossi

A support service renewal is expired or about to expire.

The technical support services for support service number 4483202 will expire, or have expired on 28-Nov-21.

Renewing these services is easy. Just click the Quick Checkout button below and complete your renewal online. Once your renewal is completed, the new Support Period for these services will begin on the start date listed for this renewal in your My Support Renewals account and will be provided through the end date as shown for this renewal in your My Support Renewals account. A renewal order containing all of the information about your renewal is also attached for your reference. So that there is no interruption in these services, please complete your renewal on or before 30-Oct-21. You can see and manage all of your support service renewals anytime on My Support Renewals by clicking the Manage Your Renewals button below.

Quick Checkout Manage Your Renewals

To log into My Support Renewals, you will need your username and password:

Your Oracle.com username is: **TOSSI@COJ.NET**
New Customer? Forgot your password? Reset.

If you are unable to complete your renewal on My Support Renewals, you can complete your renewal by following the instructions in the attached renewal order. So that there is no interruption in these services, please complete your renewal on or before 30-Oct-21. If applicable, the attached renewal order may include technical support services that you have requested to order that are in addition to the technical support services that you are renewing.

Have a question about your renewal? Call 301-641-0727 or email Oracle at mavis.waters@oracle.com.

Have a question regarding Auto Renew or the acceptance process on My Support Renewals? Call 301-641-0727, Chat on My Support Renewals, or Request Assistance.

ORACLE

TECHNICAL SUPPORT SERVICES RENEWAL ORDER

GENERAL INFORMATION

OFFER EXPIRATION		ORACLE: Oracle America, Inc.
Support Service Number:	4483202	**Oracle Contact Information:** Mavis Waters
Offer Expires:	28-Nov-21	**Telephone:** 301-641-0727 **Fax:** **Email:** mavis.waters@oracle.com

CUSTOMER: City of Jacksonville			
CUSTOMER QUOTE TO		**CUSTOMER BILL TO**	
Account Contact:	Tom Ossi	**Account Contact:**	Tom Ossi
Account Name:	City of Jacksonville	**Account Name:**	City of Jacksonville
Address:	117 West Duval Street JACKSONVILLE FL 32202 United States	**Address:**	117 West Duval Street, Suite 375 JACKSONVILLE FL 32202 United States
Telephone:	904 255-8820	**Telephone:**	904-255-8820
Fax:		**Fax:**	
E-mail:	tossi@coj.net	**E-mail:**	tossi@coj.net

"You" and "Your" as used in this renewal order, refer to the Customer listed above.

Please take a minute to make sure the email information entered above is correct. Your email address is particularly important because Oracle may email You certain notices about technical support services. If You need to make any changes to the Customer information above, You can either login to your My Support Renewals account and select "Update Quote to Information" to edit Your "Quote To" information and You can edit Your "Bill To" information at check out. Alternatively, this information can be updated by providing Your current information along with Your support service number 4483202, to Oracle per the General Information section above.

SERVICE DETAILS

Program Technical Support Services							
Service Level: Software Update License & Support							
Product Description	**CSI #**	**Qty**	**License Metric**	**License Level / Type**	**Start Date**	**End Date**	**Price**
HUMAN RESOURCES 11.0	2630513	8000	EMPLOYEE	FULL USE	29-Nov-21	28-Nov-22	33,725.10
PAYROLL 11.0	2630513	8000	EMPLOYEE	FULL USE	29-Nov-21	28-Nov-22	33,725.10
TIME MANAGEMENT 11.0	2630513	8000	EMPLOYEE	FULL USE	29-Nov-21	28-Nov-22	17,986.86
WEB EMPLOYEES 11.0	2630513	1	COMPUTER	FULL USE	29-Nov-21	28-Nov-22	1,405.26
Oracle Advanced Benefits - Person Perpetual	3075417	9000		FULL USE	29-Nov-21	28-Nov-22	69,840.63
Oracle Database Enterprise Edition - Named User Plus Perpetual	13495050	50			29-Nov-21	28-Nov-22	6,191.59
Oracle Database Enterprise Edition - Processor Perpetual	13495050	4			29-Nov-21	28-Nov-22	41,277.65
Oracle Database Enterprise Edition - Processor Perpetual	13495050	6		FULL USE	29-Nov-21	28-Nov-22	40,980.57
Oracle Database Enterprise Edition - Named User Plus Perpetual	14269214	170		FULL USE	29-Nov-21	28-Nov-22	17,374.80
Oracle Database Enterprise Edition - Processor Perpetual	14269214	2		FULL USE	29-Nov-21	28-Nov-22	166.09
Oracle Database Enterprise Edition - Processor Perpetual	14269214	23		FULL USE	29-Nov-21	28-Nov-22	120,506.46
Oracle Database Enterprise Edition - Processor Perpetual	14269214	5		FULL USE	29-Nov-21	28-Nov-22	33,261.89
Oracle Diagnostics Pack - Named User Plus Perpetual	14269214	170		FULL USE	29-Nov-21	28-Nov-22	1,303.35
Oracle Diagnostics Pack - Processor Perpetual	14269214	5		FULL USE	29-Nov-21	28-Nov-22	2,113.81
Oracle Diagnostics Pack - Processor Perpetual	14269214	23		FULL USE	29-Nov-21	28-Nov-22	8,814.94
Oracle Internet Application Server Enterprise Edition - Processor Perpetual	14269214	4		FULL USE	29-Nov-21	28-Nov-22	8,797.68
Oracle Internet Developer Suite - Named User Plus Perpetual	14269214	3		FULL USE	29-Nov-21	28-Nov-22	2,305.24
Oracle Internet Developer Suite - Named User Plus Perpetual	14269214	3		FULL USE	29-Nov-21	28-Nov-22	1,916.45

Program Technical Support Services							
Service Level:	**Software Update License & Support**						
Product Description	**CSI #**	**Qty**	**License Metric**	**License Level / Type**	**Start Date**	**End Date**	**Price**
Oracle Tuning Pack - Named User Plus Perpetual	14269214	170		FULL USE	29-Nov-21	28-Nov-22	1,303.35
Oracle Tuning Pack - Processor Perpetual	14269214	23		FULL USE	29-Nov-21	28-Nov-22	8,814.94
Oracle Tuning Pack - Processor Perpetual	14269214	5		FULL USE	29-Nov-21	28-Nov-22	2,305.78

Program Technical Support Fees: USD 454,117.54

Total Price: USD 454,117.54

Plus applicable tax

NOTES

- If Oracle accepts Your renewal order, the start date set forth in the Service Details table above shall serve as the commencement date of the technical support services and the technical support services ordered under this renewal order will be provided through the end date specified in the table for the applicable programs and/ or hardware ("Support Period").
- If any of the fields listed in the Service Details table above are blank, then such fields do not apply to Your renewal.

TECHNICAL SUPPORT SERVICES TERMS

If the Customer and the Customer Quote To name identified in the General Information table above are not the same, City of Jacksonville represents that Customer has authorized City of Jacksonville to execute this renewal order on the Customer's behalf and to bind the Customer to the terms contained in this renewal order. City of Jacksonville agrees that the services ordered are for the sole benefit of Customer and shall only be used by Customer. City of Jacksonville agrees to advise Customer of the terms of this renewal order as well as any communications received from Oracle regarding the services.

If the Customer and the Customer Bill To name identified in the General Information table above are not the same, Customer agrees that: a) Customer has the ultimate responsibility for payments under this renewal order; and b) any failure of City of Jacksonville to make timely payment per the terms of this renewal order shall be deemed a breach by Customer and, in addition to any other remedies available to Oracle, Oracle may terminate Customer's technical support service under this renewal order.

Technical support is provided under Oracle's technical support policies in effect at the time the services are provided. The technical support policies are subject to change at Oracle's discretion; however, Oracle will not materially reduce the level of services provided for supported programs and/or hardware during the period for which fees for technical support have been paid, or for U.S. federal and public sector entities, the period for which services have been ordered. You should review the technical support policies prior to entering into this renewal order.

The current version of the technical support policies may be accessed at http://www.oracle.com/us/support/policies/index.html.

Regarding the inclusion of DFARS 252.204-7012, the parties agree that DFARS 252.204-7012, Safeguarding Covered Defense Information and Cyber Incident Reporting (OCT 2016), does not apply to the Commercial Off the Shelf (COTS) licenses or hardware, and does not apply to the associated technical support because Oracle will not process, collect, develop, receive, transmit, use, or store " covered defense information" on "covered contractor information systems" as defined in DFARS 252.204-7012, Safeguarding Covered Defense Information and Cyber Incident Reporting (OCT 2016), in performance of the associated technical support services ordered under this renewal quote, and the Government agrees that it will not provide "covered defense information" to Oracle in performance of the associated technical support services.

The technical support services renewed under this renewal order are governed by the terms and conditions of the US-PS-TSSA-660467_V0-43015_US_ENG ("agreement"). Any use of the programs and/or hardware, which includes updates and other materials provided or made available by Oracle as a part of technical support services, is subject to the rights granted for the programs and/or hardware set forth in the order in which the programs and/or hardware were acquired.

This renewal order incorporates the agreement by reference. In the event of inconsistencies between the terms contained in this renewal order and the agreement, this renewal order shall take precedence.

RENEWAL PROCESSING DETAILS

Please renew the technical support services on this renewal order on My Support Renewals.

If You are unable to renew using My Support Renewals, You can renew using the options below. Your renewal order is subject to Oracle's acceptance. Your renewal is considered complete when You provide Oracle with payment details for the renewal as detailed below or an executed Oracle Financing contract. Once completed, Your renewal cannot be cancelled and Your payment is nonrefundable, except as provided in the agreement. Oracle will issue an invoice to You upon receipt of a purchase order or a form of payment acceptable to Oracle. If You are U.S. federal government or public sector entity, Oracle will issue You an invoice quarterly in arrears after the services are performed.

Unless you are an U.S. federal government entity, Oracle's invoice includes applicable sales tax, GST, or VAT (collectively referred to as "tax"). If City of Jacksonville is a tax exempt organization and is not an U.S. federal government entity, a copy of City of Jacksonville's tax exemption certificate must be submitted with City of Jacksonville's purchase order, credit card, or other acceptable form of payment.

Please note that unless You are a U.S. federal government or public sector entity, if the pre-tax value of this renewal is USD $2,000 or less, the technical support services ordered must be paid by credit card; or You must renew Your support on My Support Renewals.

Technical Support fees are invoiced Quarterly in Arrears. All fees payable to Oracle are due within 30 NET from date of invoice.

You agree to pay any sales, value-added or other similar taxes imposed by applicable law, except for taxes based on Oracle's income.

PAYMENT DETAILS

Purchase Order
If You are submitting a purchase order for the payment of the renewal of the technical support services on this renewal order, the purchase order must be in a non-editable format (e.g., PDF) and include the following information:

- Support Service Number: 4483202
- Total Price: USD 454,117.54 (excluding applicable tax)
- Local Tax, if applicable

In issuing a purchase order, City of Jacksonville agrees that the terms of this renewal order and the agreement supersede the terms in the purchase order or any other non-Oracle document, and no terms included in any such purchase order or other non-Oracle document shall apply to the technical support services renewed under this renewal order.

Please contact Oracle per the General Information section above to issue Your purchase order.

Credit Card
If You wish to use a credit card to pay for the renewal of the technical support services on this renewal order, please contact Oracle per the General Information section above. Please note that Oracle is unable to process credit card transactions of USD $100,000 or greater or transactions that are not in USD.

Check
If You are submitting a check for the payment of the renewal of the technical support services on this

renewal order, the check must include the following information:

- Support Service Number: 4483202
- Total Price: USD 454,117.54 (excluding applicable tax)
- Local Tax, if applicable

In issuing a check, City of Jacksonville agrees that only the terms of this renewal order and the agreement shall apply to the technical support services renewed under this renewal order. No terms attached or submitted with the check will apply.

Checks for technical support services renewed under this renewal order should be sent to:

Checks for technical support services renewed under this renewal order should be sent to:

AK, AZ, CA, HI, ID, NV, OR, UT, WA:

Oracle America, Inc
PO Box 44471
San Francisco, CA 94144-4471

All Other States:

Oracle America, Inc
PO Box 203448
Dallas, TX 75320-3448

Payment Confirmation
If You cannot pay using any of the payment methods described above, please complete this payment confirmation and submit it to Oracle. Please initial the following statement that best applies to You.

____ City of Jacksonville does not issue purchase orders.
____ City of Jacksonville does not require a purchase order for the services ordered hereto.

City of Jacksonville certifies that the information provided above is accurate and complies with City of Jacksonville's business practices in entering into this renewal order, including obtaining all necessary approvals to release the funds for this renewal. In issuing this payment confirmation, City of Jacksonville agrees that the terms of this renewal order and the agreement shall apply to the technical support services ordered under this renewal order. No terms attached or submitted with the payment confirmation will apply.

The signature below affirms City of Jacksonville's commitment to pay for the services ordered in accordance with the terms of this renewal order.

City of Jacksonville

_____
Authorized Signature

_____
Name

_____
Title

_____

Signature Date

Please contact Oracle per the General Information section above to issue Your Payment Confirmation.

ORACLE

500 Oracle Pkwy
Redwood City, CA 94065

10/11/21

Tom Ossi
City of Jacksonville
214 N. Hogan Street
9th Floor
JACKSONVILLE, FL 32202

Dear Tom,

This letter is to confirm that Oracle has the unique expertise and capabilities to support Oracle program licenses. Oracle creates the proprietary program updates that may be provided as part of Oracle's technical support services. As the sole source of technical support services (including the proprietary program updates created by Oracle), Oracle offers the services to Oracle customers for purchase on an annual basis either directly from Oracle or, on limited occasion, indirectly from an Oracle authorized reseller of the services. For more detailed information about Oracle's technical support services, refer to Oracle's technical support policies located at http://www.oracle.com/us/support/policies/index.html.

Please contact me should you have questions.

Regards,

Mavis Waters
National Account Manager, Oracle Support Services
Oracle America, Inc.
Mobile: 301-641-0727 I Fax: 719-757-4289
mavis.waters@oracle.com

Requisition FAIT-501069-22

Requisitioning BU	FAIT: Information Technologies	**Requisition Amount**	454,117.54 USD
Entered By	Andre Conyers	**Justification**	
Status	Approved	**Funds Status**	Reserved
Description	FY2022 - Oracle HRMS Software License/Support (ERP) - Annual Renewal November 29, 2021, through November 28, 2022.		
Emergency Requisition	No		

Attachments

Title	File Name or URL	Description
Software Maintenance Support A	Software Maintenance Support Agreement for Oracle HRMS.pdf	
Request for Approval Cover She	Request for Approval Cover Sheet - Oracle - for Software Maint Support Agreement Oracle HRMS - 10-11-2021_TO.docx	
ORACLE Support Services FY2022	ORACLE Support Services FY2022 Quote 4483202 fy22 (004).pdf	
ORACLE - Software Maintenance	ORACLE - Software Maintenance Support Agreement for Oracle HRMS Single Source 10-12-2021__.pdf	
ORACLE - SINGLE SOURCE REQUEST	ORACLE - SINGLE SOURCE REQUEST FORM - Software Maintenance Technical Support - 10-11-2021.docx	
ORACLE - FY22 Sole_Source_Cit	ORACLE - FY22 Sole_Source_City of Jacksonville 10112021.pdf	

Lines

Line	Item	Description	Category Name	Quantity	UOM	Price	Amount (USD)	Status	Funds Status
1		FY2022 - Oracle HRMS Software License/Support (ERP) - Annual Renewal November 29, 2021, through November 28, 2022.	920.45 Software Maintenance/Support			USD	454,117.54	Approved	Reserved

Requester	Paul Freeman	**Supplier**	Oracle America, Inc.
Urgent	No	**Supplier Site**	Ordering
Requested Delivery Date	10/27/21	**Supplier Contact**	
Deliver-to Location	Ed Ball 9th Floor Charge	**Contact Phone**	
Deliver-to Address	214 North Hogan Street, 9TH FLOOR, Jacksonville, FL 32202, Duval, United States	**Charge Account**	53101.113002.546620.000000.00000493.00000.0000000
Note to Buyer			

I CERTIFY THAT FUNDS FOR THIS PURCHASE WERE AUTHORIZED AND PROVIDED FOR IN THE CURRENT BUDGET.