17

SINGLE SOURCE AWARD **BID # SS-15676-24**

Subject: Software Maintenance Support Agreement for Oracle HRMS

Department: Information Technologies Division

Description of Purchase:
Recommend approval of Single Source Award to Oracle America, Inc. for Oracle HRMS, Oracle Advance Benefits, and associated developer tools. Period of service will be June 1, 2024 through November 28, 2024. Total expenditure not-to-exceed $236,141.12.

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

Single Source Award To: Oracle America, Inc. **Requisition Number:** FAIT-501341-24

Price Justification: See Attached

Total Award: $236,141.12

Attachments: Recommendation Memo, Single Source Form, Supplier Letter & Proposal

Certification as to Single Source: Wanyonyi Kendrick, Chief of Information Technologies Division/CIO

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

ANALYST: Corey Sidlo

Dustin Freeman, 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

City of Jacksonville, Florida

Donna Deegan, Mayor

Information Technologies Division
Ed Ball Building
214 N. Hogan Street, Suite 900
Jacksonville, Florida 32202
(904) 630-CITY
www.jacksonville.gov

A NEW DAY.

MEMORANDUM

TO: Dustin L. Freeman, Chief of Procurement Division

VIA: Anna Brosche, Director of Finance and Administration / CFO

THROUGH: Wanyonyi Kendrick, Chief of Information Technologies / CIO

FROM: Paul Freeman, Enterprise Applications Manager

SUBJECT: **Software Maintenance Support Agreement for Oracle HRMS – Single Source Renewal**

DATE: May 15, 2024

Anna L Brosche — Digitally signed by Anna L Brosche Date: 2024.05.20 07:52:51 -04'00'

Wanyonyi Kendrick — Digitally signed by Wanyonyi Kendrick Date: 2024.05.17 16:50:58 -04'00'

Paul Freeman — Digitally signed by Paul Freeman Date: 2024.05.16 08:29:31 -04'00'

The Information Technologies Division (ITD) requests approval to renew the single source annual maintenance and technical support for Oracle HRMS, Oracle Advance Benefits, and associated developer tools from Oracle America, Inc. The City of Jacksonville has not fully implemented Oracle Cloud Human Resources, Payroll, Benefits and Time and Attendance. The technical support services will provide business continuity, increased stability, allowing time to complete the Oracle Cloud Human Resources Implementation.

Oracle America, Inc. is the sole source supplier of technical support services, including proprietary program updates created by Oracle, and no other supplier is authorized to resell its products and services. Oracle America, Inc. submitted a sole source letter confirming its status.

This request is for the continuation of the annual services. The period of service for the remaining six months for this renewal will begin June 1, 2024, through November 28, 2024. The total not to exceed amount for this request is $236,141,12. The purchase will be procured via Purchase Order.

FUNDING SOURCE: 53101.113002.546620.000000.00000493.00000.0000000

Tracy Geake — Digitally signed by Tracy Geake Date: 2024.05.17 16:20:27 -04'00'

Your favorable consideration of ITD's request is appreciated.

Attachments: Oracle Single Source Letter and Annual Quote
Single Source Request Form

CC: Thomas Ossi, Technology Contract and Records Manager
Ruben Ola, Contract Compliance Analyst
Nihal Kekec, IT Contract Administrator

JUSTIFICATION FOR SINGLE SOURCE (JSS)

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

1. Requesting Agency:	Information Technologies
2. Nature and/or description of the requirement being requested. ***Identify each item, component or service being procured. (Attach quote/proposal):*** ***Why does the city need these particular goods or services?***	The Information Technologies Division (ITD) requests approval for single source renew annual software maintenance and technical support agreement for Oracle HRMS, Oracle Advanced Benefits and associated developer tools from Oracle America, Inc.The City of Jacksonville has not fully implemented the Oracle Cloud Human Resources, Payroll, Benefits and Time and Attendance. The technical support services will provide business continuity, increased stability, allowing time to complete the Oracle Cloud Human Resources implementation. This renewal is the continuation for the period of coverage 6 months from June 01, 2024, through November 28, 2024.The total NTE amount is $236,141.12.The purchase will be procured via Purchase Order.
3. Provide a detailed justification as to why the requested goods/services can only be efficiently and effectively procured through the recommended Single Source vendor:	Oracle America, Inc. owns the source code to all Oracle programs utilized for this HR solution.
4. Date of Request	5/15/24

5. Summary of Market Research

[Provide a description of the market research performed, how it was performed, by whom, and market research results. Please spell out acronyms.]

[Per market research by Nihal Kekec / Contract Administrator, Oracle America, Inc. is the only vendor authorized to provide technical support services and proprietary program updates created by Oracle. The supplier submitted a sole source letter to confirm its status to the City of Jacksonville.]

6. Conflict of Interest (Must Check)

√ By checking this box, I affirm that there are no actual, potential, or perceived conflicts of interest with the entity in which I am requesting a single source award. Conflict of Interest shall be interpreted consistent with *Chapter 112, Florida Statutes.*

7. Other Documentation (Check and attach all that apply)

√ Supplier Quote

√ Single Source Memo signed by Director

☐ **Other** [Click here to list other documentation.]

ORACLE

500 Oracle Pkwy
Redwood City, CA 94065

05/14/24

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
mavis.waters@oracle.com

ORACLE

29-Nov-23

Dear Tom Ossi

Your technical support services are due for renewal.

Support Service Number: 4483202

Support Start Date: 29-Nov-23

Amount Due: USD 472,282.24 (excluding applicable tax)

To avoid any interruption in these services, please complete your renewal by 6-Dec-23.

Oracle would like to thank you for your continued business.

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

ORACLE

Technical Support Services Renewal Order

General Information

Customer: City of Jacksonville

Support Service Number: 4483202

Offer Expires: 6-Dec-23

Oracle: Oracle America, Inc.

Oracle Contact Information:

Mavis Waters

Call: 301-641-0727
Email: mavis.waters@oracle.com

Online Renewals can be viewed and accepted on My Support Renewals

Customer Quote To	Customer Bill To
Tom Ossi	Tom Ossi
City of Jacksonville	City of Jacksonville
117 West Duval Street	117 West Duval Street, Suite 375
JACKSONVILLE	JACKSONVILLE
FL 32202	FL 32202
United States	United States
904 255-8820	904-255-8820
tossi@coj.net	tossi@coj.net

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

Please ensure the Quote To and Bill To details above are correct, especially the email addresses, as Oracle will usually deliver communications, including Your invoice, to the respective email address.

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-23	28-Nov-24	35,074.10
PAYROLL 11.0	2630513	8000	EMPLOYEE	FULL USE	29-Nov-23	28-Nov-24	35,074.10
TIME MANAGEMENT 11.0	2630513	8000	EMPLOYEE	FULL USE	29-Nov-23	28-Nov-24	18,706.33
WEB EMPLOYEES 11.0	2630513	1	COMPUTER	FULL USE	29-Nov-23	28-Nov-24	1,461.48
Oracle Advanced Benefits - Person Perpetual	3075417	9000		FULL USE	29-Nov-23	28-Nov-24	72,634.26
Oracle Database Enterprise Edition - Named User Plus Perpetual	13495050	50			29-Nov-23	28-Nov-24	6,439.24
Oracle Database Enterprise Edition - Processor Perpetual	13495050	6		FULL USE	29-Nov-23	28-Nov-24	42,619.79
Oracle Database Enterprise Edition - Processor Perpetual	13495050	4			29-Nov-23	28-Nov-24	42,928.76
Oracle Database Enterprise Edition - Named User Plus Perpetual	14269214	170		FULL USE	29-Nov-23	28-Nov-24	18,069.79
Oracle Database Enterprise Edition - Processor Perpetual	14269214	5		FULL USE	29-Nov-23	28-Nov-24	34,592.37
Oracle Database Enterprise Edition - Processor Perpetual	14269214	23		FULL USE	29-Nov-23	28-Nov-24	125,326.72
Oracle Database Enterprise Edition - Processor Perpetual	14269214	2		FULL USE	29-Nov-23	28-Nov-24	172.73
Oracle Diagnostics Pack - Named User Plus Perpetual	14269214	170		FULL USE	29-Nov-23	28-Nov-24	1,355.49
Oracle Diagnostics Pack - Processor Perpetual	14269214	23		FULL USE	29-Nov-23	28-Nov-24	9,167.53
Oracle Diagnostics Pack - Processor Perpetual	14269214	5		FULL USE	29-Nov-23	28-Nov-24	2,198.36
Oracle Internet Application Server Enterprise Edition - Processor Perpetual	14269214	4		FULL USE	29-Nov-23	28-Nov-24	9,149.59
Oracle Internet Developer Suite - Named User Plus Perpetual	14269214	3		FULL USE	29-Nov-23	28-Nov-24	1,993.11
Oracle Internet Developer Suite - Named User Plus Perpetual	14269214	3		FULL USE	29-Nov-23	28-Nov-24	2,397.46
Oracle Tuning Pack - Named User Plus Perpetual	14269214	170		FULL USE	29-Nov-23	28-Nov-24	1,355.49
Oracle Tuning Pack - Processor Perpetual	14269214	5		FULL USE	29-Nov-23	28-Nov-24	2,398.01
Oracle Tuning Pack - Processor Perpetual	14269214	23		FULL USE	29-Nov-23	28-Nov-24	9,167.53

Program Technical Support Fees: USD 472,282.24

Total Price: USD 472,282.24

Excluding 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

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-FEC-80128137 ("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

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.

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. If City of Jacksonville is a tax exempt organization, a copy of City of Jacksonville's tax exemption certificate must be submitted with City of Jacksonville's purchase order, check, credit card or other acceptable form of payment.

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 472,282.24 (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 ordered 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.

PayPal
If You wish to use PayPal 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 PayPal transactions of USD $100,000 or greater or transactions that are not in USD.

eCheck
If You wish to use eCheck 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 eCheck 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 472,282.24 (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 ordered under this renewal order. No terms attached or submitted with the check shall apply.

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

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

Oracle America, Inc
PO Box 884471
Los Angeles, CA 90088-4471

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 shall 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.