SINGLE SOURCE AWARD **BID # SS-9424-21**

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 the software maintenance and technical support for Oracle HRMS, Oracle Advance Benefits, and associated developer tools for the Information Technologies Division. Period of service will be from November 29, 2020 through November 28, 2021. Total requested expenditure not to exceed $436,651.48.

Funding for this award to be encumbered by account 53101.113002.546620.000000.00000493, to be executed by purchase order(s).

Single Source Award To: Oracle America, Inc.

Price Justification: See Attached

Total Award: $436,651.48 **Requisition #** N/A

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 19, 2020

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: 2020.10.20 07:37:42 -04'00'

FROM: Thomas Ossi, Technology Contract and Records Manager

THOMAS OSSI — Digitally signed by THOMAS OSSI Date: 2020.10.19 14:40:11 -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, 2020, through November 28, 2021.

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 $436,651.48.

Tracy Geake — Digitally signed by Tracy Geake Date: 2020.10.19 15:19:01 -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
Alexander Ciprian, 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.

ORACLE

500 Oracle Pkwy
Redwood City, CA 94065

10/28/19

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

ORACLE

11-Sep-20

Tom Ossi
City of Jacksonville
117 West Duval Street
JACKSONVILLE
FL 32202
United States

Dear Tom Ossi

The technical support services provided under support service number 4483202 will expire, or have expired, on 28-Nov-20. Please find attached an ordering document for the renewal of these technical support services. If applicable, the attached ordering document may include technical support services that you have requested to order that are in addition to the technical support services that you are renewing.

To prevent interruption to and/ or termination of technical support services, please complete your order for the renewal of technical support services, identified in the ordering document, by issuing a form of payment acceptable to Oracle in accordance with the Order Processing Details section of the ordering document on or before 30-Oct-20.

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 Oracle Store? Call 301-641-0727, Chat on Store, or Request Assistance.

ORACLE

GENERAL INFORMATION

OFFER EXPIRATION		ORACLE: Oracle America, Inc.	
Support Service Number:	4483202	**Oracle Contact Information:** Mavis Waters	
Offer Expires:	28-Nov-20	**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:**	Accounts Payable
Account Name:	City of Jacksonville	**Account Name:**	City of Jacksonville
Address:	117 West Duval Street JACKSONVILLE FL 32202 United States	**Address:**	Finance Services Department Accounts Payable Dept 117 W. Duval Street, Suite 375 Jacksonville FL 32202 United States
Telephone:	904 255-8820	**Telephone:**	
Fax:		**Fax:**	
E-mail:	tossi@coj.net	**E-mail:**	@

"You" and "Your" as referenced in this ordering document refers to the Customer identified in the table above.

Oracle may provide certain notices about technical support services via e-mail. Accordingly, please verify and update the Customer Quote To and Customer Bill To information in the above table to help ensure that You receive such communications from Oracle. If changes are required to the Customer Quote To and Customer Bill To information, please e-mail or fax the updated information, with Your support service number 4483202, to Your Oracle Support Sales Representative identified in the table 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	EMPLOYE E	FULL USE	29-Nov-20	28-Nov-21	32,427.98
PAYROLL 11.0	2630513	8000	EMPLOYE E	FULL USE	29-Nov-20	28-Nov-21	32,427.98
TIME MANAGEMENT 11.0	2630513	8000	EMPLOYE E	FULL USE	29-Nov-20	28-Nov-21	17,295.06
WEB EMPLOYEES 11.0	2630513	1	COMPUT ER	FULL USE	29-Nov-20	28-Nov-21	1,351.21
Oracle Advanced Benefits - Person Perpetual	3075417	9000		FULL USE	29-Nov-20	28-Nov-21	67,154.45
Oracle Database Enterprise Edition - Named User Plus Perpetual	13495050	50			29-Nov-20	28-Nov-21	5,953.45
Oracle Database Enterprise Edition - Processor Perpetual	13495050	4			29-Nov-20	28-Nov-21	39,690.05
Oracle Database Enterprise Edition - Processor Perpetual	13495050	6		FULL USE	29-Nov-20	28-Nov-21	39,404.39
Oracle Database Enterprise Edition - Named User Plus Perpetual	14269214	170		FULL USE	29-Nov-20	28-Nov-21	16,706.54
Oracle Database Enterprise Edition - Processor Perpetual	14269214	2		FULL USE	29-Nov-20	28-Nov-21	159.70
Oracle Database Enterprise Edition - Processor Perpetual	14269214	23		FULL USE	29-Nov-20	28-Nov-21	115,871.60
Oracle Database Enterprise Edition - Processor Perpetual	14269214	5		FULL USE	29-Nov-20	28-Nov-21	31,982.59
Oracle Diagnostics Pack - Named User Plus Perpetual	14269214	170		FULL USE	29-Nov-20	28-Nov-21	1,253.22
Oracle Diagnostics Pack - Processor Perpetual	14269214	5		FULL USE	29-Nov-20	28-Nov-21	2,032.51
Oracle Diagnostics Pack - Processor Perpetual	14269214	23		FULL USE	29-Nov-20	28-Nov-21	8,475.90
Oracle Internet Application Server Enterprise Edition - Processor Perpetual	14269214	4		FULL USE	29-Nov-20	28-Nov-21	8,459.31
Oracle Internet Developer Suite - Named User Plus Perpetual	14269214	3		FULL USE	29-Nov-20	28-Nov-21	2,216.58
Oracle Internet Developer Suite - Named User Plus Perpetual	14269214	3		FULL USE	29-Nov-20	28-Nov-21	1,842.74

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-20	28-Nov-21	1,253.22
Oracle Tuning Pack - Processor Perpetual	14269214	23		FULL USE	29-Nov-20	28-Nov-21	8,475.90
Oracle Tuning Pack - Processor Perpetual	14269214	5		FULL USE	29-Nov-20	28-Nov-21	2,217.10

Program Technical Support Fees: USD 436,651.48

Total Price: USD 436,651.48

Plus applicable tax

Please note the following:

- If You have questions regarding the Service Details section of this ordering document, or believe that corrections are required, please contact Your Oracle Support Sales Representative identified on the first page of this ordering document.
- Please review Oracle's technical support policies, including the Lifetime Support Policy, before entering into this ordering document. Under Oracle's Lifetime Support Policy, the support level for an Oracle product, if applicable, may change during the term of the services purchased under this ordering document. If extended support is offered, an additional fee will be charged for such support if ordered. If You would like to purchase extended support please contact Your Oracle Support Sales Representative identified on the first page of this ordering document.
- If Oracle accepts Your 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 ordering document 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 for the applicable programs and/or hardware for which You are purchasing technical support services.

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 ordering document on Customer's behalf and to bind Customer to the terms described herein. 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 ordering document 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 ordering document; and, b) any failure of City of Jacksonville to make timely payment per the terms of this ordering document 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 ordering document.

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

The technical support services acquired under this ordering document 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 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 ordering document incorporates the agreement by reference. In the event of inconsistencies between the terms contained in this ordering document and the agreement, this ordering document shall take precedence.

ORDER PROCESSING DETAILS

Your order is subject to Oracle's acceptance. Your order is deemed to be placed when You provide Oracle with details for payment (e.g., Your purchase order, Your check, or a credit card confirmation for the order as detailed below) or an executed Oracle Financing contract. Once placed, Your order shall be non-cancelable and the sums paid nonrefundable, except as provided in the agreement.

Please note that unless You are a U.S. federal government or public sector entity, if the pre-tax value of this ordering document is USD $2,000 or less, the technical support services ordered (i) must be paid by credit card; or (ii) You must renew Your support via the Oracle Store. Please contact Your Oracle Support Sales Representative for details regarding renewing Your support via the Oracle Store.

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

Oracle will issue an invoice to You upon receipt of a purchase order or a form of payment acceptable to Oracle. If You are an U.S. federal government or public sector entity, Oracle will issue You an invoice quarterly in arrears after the services are performed. You agree to pay any sales, value-added or other similar taxes imposed by applicable law, except for taxes based on Oracle's income.

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.

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 436,651.48 (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 will 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 the technical support services on this ordering document will be ordered and paid by check, the check must include the following information:

- Support Service Number: 4483202
- Total Price: USD 436,651.48 (excluding applicable tax)
- Local Tax, if applicable

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

Please mail check payments in accordance with the Remittance Details section below.

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