30

SINGLE SOURCE AWARD **BID # SS-13403-23**

Subject: IBM Maximo Software Maintenance Renewal

Department: Information Technologies Division

Description of Purchase:
Recommend approval to retroact the period of service from October 1, 2022 through date of contract execution.

Recommend approval of Single Source Award with International Business Machines Corporation (IBM) to renew the annual software maintenance for Maximo Enterprise Management. The services include software subscription and support for IBM Tivoli Maximo Asset Management for Public Works, Fleet Management, Parks and Recreation, JFRD and ITD. Period of service will be from date of contract execution through September 30, 2025. The requested expenditure for FY23 is $228,207.42, FY24 is $235,056.00, and FY25 is $242,108.00. Total requested expenditure for the three (3) year term not to exceed $705,371.42.

Funding Source: 53101.113001.546620.000000.00000000.00000.0000000, to be executed by formal contract through the Office of General Counsel and process by purchase order(s).

Single Source Award To: International Business Machines Corporation (IBM)

Price Justification: See Attached

Total Award: $705,371.42 **Requisition #** FAIT-500078-23

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

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

Lenny Curry, Mayor

Information Technologies Division
Ed Ball Building
214 N. Hogan Street, Suite 900
Jacksonville, Florida 32202

ONE CITY. ONE JACKSONVILLE.

DATE: October 13, 2022

TO: Dustin L. Freeman, Chief of Procurement - Acting

VIA: Patrick "Joey" Greive, Director of Finance and Administration / CFO

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

FROM: Paul Freeman, Enterprise Applications Manager

RE: **FY2023 - IBM Maximo Software Maintenance Renewal - Single Source Request**

Patrick Greive — Digitally signed by Patrick Greive Date: 2022.10.20 10:22:57 -04'00'

Kenneth E. Lathrop — Digitally signed by Kenneth E. Lathrop Date: 2022.10.17 10:29:49 -04'00'

Paul Freeman — Digitally signed by Paul Freeman Date: 2022.10.14 10:48:44 -04'00'

The Information Technologies Division (ITD), requests approval to renew the annual software maintenance for Maximo Enterprise Management with International Business Machines Corporation (IBM). The services include software subscription and support for IBM Tivoli Maximo Asset Management for Public Works, Fleet Management, Parks and Recreation, JFRD and ITD. The initial term of the three (3) year agreement shall begin October 1, 2022 through September 30, 2023 in the amount of $228,207.42. The second year period of service will begin on October 1, 2023 through September 30, 2024 in the amount of $235,056.00. The third year period of service will begin on October 1, 2024 through September 30, 2025 in the amount of $242,108.00. This purchase will be made by formal contract through the Office of General Counsel.

IBM is the sole provider of the Maximo software products, maintenance, updates and upgrades. Market research confirmed that no other suppliers are authorized to provide maintenance and support services for the Maximo. IBM submitted a single source letter confirming they are the sole source provider of software maintenance and technical support.

The total not-to-exceed amount for the three-year term is $705,371.42.

Tracy Geake — Digitally signed by Tracy Geake Date: 2022.10.14 10:55:59 -04'00'

FUNDING SOURCE:53101.113001.546620.000000.00000000.00000.0000000

Your favorable consideration of ITD's request is appreciated.

Attachments: IBM Quote No. 19367333
Single Source Request Form / Supplier Single Source Letter

CC: Elizabeth Brown, IT Operations Manager
Mamta Gupta, Applications Development Project Manager
Thomas Ossi, Technology Contract and Records Manager
Andre Conyers, 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 to renew software licenses, for software subscription and support services for MAXIMO Enterprise Management software. The services include periodic software upgrades, immediate software repairs, and telephone support. The initial first year period of coverage for these services is from October 1, 2022 through September 30, 2023 with two additional years of coverage through September 30, 2025.
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:	IBM is the sole source for licensing all application software, as well as for all on-going maintenance support. No other vendor has access to IBM's source code.
4. Date of Request	10/11/2022

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.]

[Internet research conducted has found that there are no other sources available to purchase software licenses, and maintenance & technical support for IBM developed software. The vendor submitted a single source letter confirming they are the sole source support for all developed products and services.]

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

√ Supplier Quote

√ Single Source Memo signed by Director

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

October, 5 2022

Thomas Ossi
Technology Contract and Records Manager
City of Jacksonville
Finance & Administration
Information Technologies Division
214 N. Hogan Street, 9th Floor
Jacksonville, FL 32202
Re: Price Offer Letter

Dear Tom.

IBM Corporation ("IBM") is pleased to offer the City of Jacksonville ("You" or "you") the below pricing for certain **IBM Subscription and Support ("S&S").** This letter ("Price Offer Letter") is valid when signed by both parties and when you make the initial purchase described in the quote 19367333 by October 31,2022 ("Initial Purchase Date"). Once IBM verifies that you have made the initial purchase, this Price Offer Letter shall apply. If the initial purchase is not made by the Initial Purchase Date, this Price Offer Letter is void.

1. IBM Subscription and Support Eligible Programs

The terms of this Price Offer Letter apply to S&S for the following programs ("Eligible Programs"):

S&S TABLE 1

Part Number	Subscription and Support Eligible Program Description	Quantity
E0I3NLL	IBM Maximo Anywhere per Authorized User Annual SW Subscription & Support Renewal	3
E0CVLLL	IBM Control Desk Concurrent User Annual SW Subscription & Support Renewal	20
E0CVILL	IBM Control Desk Authorized User Annual SW Subscription & Support Renewal	50
E09PXLL	IBM SPSS Custom Tables Authorized User Annual SW Subscription & Support Renewal	1
E09NNLL	IBM SPSS Statistics Base Authorized User Annual SW Subscription & Support Renewal	1
E0NYSLL	IBM Spectrum Scale Standard Edition Server license Per Socket Annual SW Subscription & Support Renewal 12 Months	2
E0AVZLL	IBM Maximo Spatial Asset Management Authorized User Annual SW Subscription & Support Renewal	5
E0AVYLL	IBM Maximo Spatial Asset Management Install Annual SW Subscription & Support Renewal	1
E0AVDLL	IBM Maximo for Transportation Authorized User Annual SW Subscription & Support Renewal	100
E05B6LL	IBM Maximo Asset Management Internal Service Providers Install SW Subscription & Support Renewal	1
E05B5LL	IBM Tivoli Maximo Asset Management Internal Service Providers Authorized User Annual SW Subscription & Support Renewal	4
E04STLL	IBM Maximo Linear Asset Manager Authorized User Annual SW Subscription & Support Renewal	3
E0AUULL	IBM Maximo Asset Management Authorized User Annual SW Subscription & Support Renewal	175
E0AUTLL	IBM Maximo Asset Management Limited Use Authorized User Annual SW Subscription & Support Renewal	5
E0CVILL	IBM Control Desk Authorized User Annual SW Subscription & Support Renewal	50

2. IBM S&S Price Offer

Prior to the S&S beginning dates in the table below (purchase must be made prior to the S&S anniversary date), provided that your S&S for such Eligible Programs has not lapsed, you are *required* to purchase S&S for the Eligible Programs specified in S&S Table 1 above for the 12-month periods and pricing stated in the table below.

S&S TABLE

S&S Beginning Date	S&S End date	S&S Price
1-Oct-22	30-Sep-23	$228,207.42
1-Oct-23	30-Sep-24	$235,056.00
1-Oct-24	30-Sep-25	$242,108.00

Amounts are due upon receipt of invoice and payable within thirty (30) days. You agree to pay accordingly, including any late-payment fee.

Your signature on the Price Offer Letter will act as a purchase order (effective on the beginning date(s) shown above) to IBM for the S&S for the Eligible Programs listed in Table 1. Notwithstanding payment is not contingent upon issuance of a Purchase Order. All approvals required to issue payment have been obtained. Payment in full is due upon receipt of invoice. The bill to, ship to addresses along with specific ordering information and amounts due under the Passport Agreement number 181504 are included in here or other related documents. This order is firm and irrevocable.

All payments are nonrefundable, regardless of the actual quantities you use during the applicable period. Quantities cannot exceed quantities in Table 1. Standard pricing applies to any quantities used, or purchased, in excess of the quantity stated in Table 1 above.

4. Additional Terms

You accept the terms of this Price Offer Letter for any order by signing below. Customer must attach a copy of this Price Offer Letter to the applicable written authorization (e.g., order form, order letter, purchase order) that is submitted to IBM after the Initial Purchase Date.

You are responsible for (a) creating and maintaining accurate records of all deployments of Eligible Programs and of use authorizations (quantities), (b) ensuring that you do not exceed your use authorizations, and (c) remaining in compliance with the terms of this Letter and all of IBM's applicable licensing and pricing qualification terms (independently or collectively the "License Terms"). Upon reasonable notice IBM may verify your compliance with the License Terms at all sites and for all environments in which you use (for any purpose) Eligible Programs subject to the License Terms. Such verification will be conducted in a manner that minimizes disruption to your business and may be conducted on your premises, during normal business hours. IBM may use an independent auditor to assist with such verification, provided IBM has a written confidentiality agreement in place with such auditor.

You agree to provide to IBM and its auditors accurate written records, system tool outputs, and other system information sufficient to provide auditable verification that your use of all Eligible Programs is in compliance with the License Terms. The rights and obligations set forth in this paragraph remain in effect during the period the Eligible Program is in your possession or control, and for two years thereafter.

IBM will notify you in writing if any such verification indicates that you have used any Eligible Program in excess of its use authorizations or are otherwise not in compliance with the License Terms. You agree to promptly pay directly to IBM the charges that IBM specifies in an invoice for: 1) S&S for such excess use for the lesser of the duration of such excess use or two years, and 2) any additional charges and other liabilities determined as a result of such verification.

This Price Offer Letter is exclusive of any applicable duties, fees and taxes. You are responsible for any such duties, fees and taxes including, but not limited to, withholding taxes and those associated with the cross-border deployment of any Eligible Programs and S&S acquired under this Price Offer Letter.

Acquisitions made under this Price Offer Letter may not be sublicensed, resold, rented, leased or transferred to third parties. You may not transfer or assign this Price Offer Letter without the prior written consent of IBM. This Price Offer Letter shall be binding upon and inure to the benefit of the parties and their respective successors and assignees.

The terms of the IBM Passport Advantage Agreement, the IBM International Program License Agreement, the IBM Agreement for Acquisition of Software Maintenance, as applicable, or such other agreements as we mutually agree in writing, shall govern any acquisitions under this Price Offer Letter (collectively "Associated Documents"). This Price Offer Letter is confidential, and Customer agrees not to disclose its terms to any third party without IBM's prior written consent except as required by law.

The terms of this Price Offer Letter are in addition to and may modify (for the purposes of this Price Offer Letter only) the Associated Documents. Except as modified herein, all other terms of the Associated Documents remain in full force and effect. Capitalized but undefined terms contained herein shall have the meaning set forth in the Associated Documents.

The parties agree that this Price Offer Letter, including the Associated Documents, is the complete agreement between us and replaces any prior oral and/or written communications between us concerning this subject matter. By signing below, the parties agree to the terms of this Price Offer Letter.

Thank you for your consideration.

Sincerely,

IBM Corporation	**City Of Jacksonville**
By: _____	By: _____
Name: _____	Name: _____
Title: _____	Title: _____
Date: _____	Date: _____

International Business Machines Corporation
International Business Machines Corporation, 1 North Castle Drive, Armonk, NY 10504

IBM Software Quotation

05-Oct-2022

Customer Information

Attn: Thomas Ossi
CITY OF JACKSONVILLE
214 N HOGAN Street, 9th Floor
JACKSONVILLE FL 32202-4240
UNITED STATES

Passport Advantage Agreement Number: 181504
IBM Customer Number: 1221950
Relationship SVP Level: GV

Passport Advantage Site Number: 3239152
Anniversary: **01-Oct**
Quotation SVP Level: GV

Dear Customer,

Thank you for your inquiry regarding IBM Software.

Any and all prices herein are suggested prices only and are subject to change at IBM's sole discretion. Products listed herein are subject to withdrawal or modification by IBM at any time at IBM's sole discretion. Final coverage dates for new license, Software Subscription and Support reinstatement, and Software Subscription and Support renewal part numbers will be based upon IBM's acceptance of the order, and as specified in the applicable agreements, irrespective of the dates which may appear in this quote.

Unless specifically agreed herein or in another signed agreement in writing between you and IBM, the licenses for the Programs and S&S acquired under this Quote / Agreement may not be used to settle or resolve any software license non-compliance by you that occurred prior to the Start Date of this Agreement. Further, unless otherwise agreed to by the parties in writing, the licenses for the Programs and S&S acquired under this Quote / Agreement may not be used as authorization to deploy the Programs prior to the date of your order against this Quote / Agreement. For more information about eligibility and reporting requirements for sub-capacity licensing, please visit https://www.ibm.com/software/passportadvantage/subcaplicensing.html and for more information about eligibility and reporting requirements for container licensing, please visit: https://www.ibm.com/software/passportadvantage/containerlicenses.html

This quotation is valid from 05-Oct-2022 and will expire on 31-Oct-2022.

Your order will be governed by and is subject to the terms of your Passport Advantage Agreement or the Passport Advantage Express Agreement, as applicable, against which this transaction will be placed.

Data Processing Protection - IBM's Data Processing Addendum (DPA) at http://ibm.com/dpa and the DPA Exhibit at https://www.ibm.com/mysupport/s/article/support-privacy apply to Client personal data, if and to the extent: i) the European General Data Protection Regulation (EU/2016/679); and ii) other data protection laws identified at http://www.ibm.com/dpa/dpl apply.

If you need assistance with placing your order or wish to discuss your quotation, please contact the IBM Representative noted below.

Yours sincerely,

GABRIEL SANDIA
Phone Number: 1-770-863-1513
E-mail Address: gabriel@us.ibm.com

International Business Machines Corporation
International Business Machines Corporation, 1 North Castle Drive, Armonk, NY 10504

IBM Software Quotation

Quotation Information
Number: 19367333
Effective Date: 05-Oct-2022
Expiration Date: 31-Oct-2022

Customer Information
Attn: Thomas Ossi
CITY OF JACKSONVILLE
214 N HOGAN Street, 9th Floor
JACKSONVILLE FL 32202-4240
UNITED STATES

Sales Representative
IBM Contact: GABRIEL SANDIA
Phone Number: 1-770-863-1513

Passport Advantage Agreement Number: 181504
IBM Customer Number: 1221950
Relationship SVP Level: GV

Passport Advantage Site Number: 3239152
Anniversary: 01-Oct
Quotation SVP Level: GV

Summary

Total Points	2,205.74
Subtotal	228,207.72
Total	228,207.72 USD

Software

Item	Part Number	Quantity	Points	Unit SVP Price	Discounted Price	Extended Amount
IBM Control Desk Authorized User Annual SW Subscription & Support Renewal						
1	E0CVILL	50	138.50	530.40	530.40	26,520.00
Coverage Dates: 01-Oct-2022 - 30-Sep-2023						
IBM Control Desk Concurrent User Annual SW Subscription & Support Renewal						
2	E0CVLLL	20	165.40	1,581.00	550.87	11,017.40
Coverage Dates: 01-Oct-2022 - 30-Sep-2023						
IBM Maximo Anywhere per Authorized User Annual SW Subscription & Support Renewal						
3	E0I3NLL	3	6.51	415.70	415.70	1,247.10
Coverage Dates: 01-Oct-2022 - 30-Sep-2023						

Useful/Important web resources:
Passport Advantage information, customer secure site access, training, etc.: www.ibm.com/software/passportadvantage
IBM's International Program License Agreement and product License Information documents: www.ibm.com/software/sla
IBM Software Support web site: https://www.ibm.com/software/support/handbook.html
IBM Customer Number: 1221950

Item	Part Number	Quantity	Points	Unit SVP Price	Discounted Price	Extended Amount
IBM Maximo Asset Management Authorized User Annual SW Subscription & Support Renewal						
4	E0AUULL	175	1,065.75	1,165.00	570.39	99,818.25
Coverage Dates: 01-Oct-2022 - 30-Sep-2023						
IBM Maximo Asset Management Internal Service Providers Install SW Subscription & Support Renewal						
5	E05B6LL	1	20.30	3,885.00	3,885.00	3,885.00
Coverage Dates: 01-Oct-2022 - 30-Sep-2023						
IBM Maximo Asset Management Limited Use Authorized User Annual SW Subscription & Support Renewal						
6	E0AUTLL	5	15.10	578.00	563.90	2,819.50
Coverage Dates: 01-Oct-2022 - 30-Sep-2023						
IBM Maximo Linear Asset Manager Authorized User Annual SW Subscription & Support Renewal						
7	E04STLL	3	2.01	127.50	127.50	382.50
Coverage Dates: 01-Oct-2022 - 30-Sep-2023						
IBM Tivoli Maximo Asset Management Internal Service Providers Authorized User Annual SW Subscription & Support Renewal						
8	E05B5LL	4	4.04	193.00	193.00	772.00
Coverage Dates: 01-Oct-2022 - 30-Sep-2023						
IBM Maximo Spatial Asset Management Authorized User Annual SW Subscription & Support Renewal						
9	E0AVZLL	5	1.00	38.85	38.85	194.25
Coverage Dates: 01-Oct-2022 - 30-Sep-2023						
IBM Maximo Spatial Asset Management Install Annual SW Subscription & Support Renewal						
10	E0AVYLL	1	33.70	6,443.00	6,443.00	6,443.00
Coverage Dates: 01-Oct-2022 - 30-Sep-2023						
IBM Maximo for Transportation Authorized User Annual SW Subscription & Support Renewal						
11	E0AVDLL	100	720.00	1,377.00	688.37	68,837.00
Coverage Dates: 01-Oct-2022 - 30-Sep-2023						
IBM Spectrum Scale Standard Edition Server license Per Socket Annual SW Subscription & Support Renewal 12 Months						
12	E0NYSLL	2	29.00	2,780.00	2,712.11	5,424.22
Coverage Dates: 01-Oct-2022 - 30-Sep-2023						
IBM SPSS Statistics Base Authorized User Annual SW Subscription & Support Renewal						
13	E09NNLL	1	2.86	546.60	546.60	546.60
Coverage Dates: 01-Oct-2022 - 30-Sep-2023						

Useful/Important web resources:
Passport Advantage information, customer secure site access, training, etc.: www.ibm.com/software/passportadvantage
IBM's International Program License Agreement and product License Information documents: www.ibm.com/software/sla
IBM Software Support web site: https://www.ibm.com/software/support/handbook.html
IBM Customer Number: 1221950

Item	Part Number	Quantity	Points	Unit SVP Price	Discounted Price	Extended Amount
IBM SPSS Custom Tables Authorized User Annual SW Subscription & Support Renewal						
14	E09PXLL	1	1.57	300.90	300.90	300.90
Coverage Dates: 01-Oct-2022 - 30-Sep-2023						

Applicable tax will be recalculated at the time of order processing.

Your order is governed by and subject to the terms of your Passport Advantage Agreement or the Passport Advantage Express Agreement, as applicable, against which this transaction will be placed.

Data Processing Protection - IBM's Data Processing Addendum (DPA) at http://ibm.com/dpa and the DPA Exhibit at https://www.ibm.com/mysupport/s/article/support-privacy apply to Client personal data, if and to the extent: i) the European General Data Protection Regulation (EU/2016/679); and ii) other data protection laws identified at http://www.ibm.com/dpa/dpl apply.

Useful/Important web resources:
Passport Advantage information, customer secure site access, training, etc.: www.ibm.com/software/passportadvantage
IBM's International Program License Agreement and product License Information documents: www.ibm.com/software/sla
IBM Software Support web site: https://www.ibm.com/software/support/handbook.html
IBM Customer Number: 1221950

International Business Machines Corporation
International Business Machines Corporation, 1 North Castle Drive, Armonk, NY 10504

IBM Terms and Conditions

IBM International Passport Advantage Agreement

The quote or order to which this document relates is governed by the terms of your Passport Advantage Agreement and its associated attachment(s).

Unless specifically agreed herein or in another signed agreement in writing between you and IBM, the licenses for the Programs and S&S acquired under this Quote / Agreement may not be used to settle or resolve any software license non-compliance by you that occurred prior to the Start Date of this Agreement. Further, unless otherwise agreed to by the parties in writing, the licenses for the Programs and S&S acquired under this Quote / Agreement may not be used as authorization to deploy the Programs prior to the date of your order against this Quote / Agreement. For more information about eligibility and reporting requirements for sub-capacity licensing, please visit https://www.ibm.com/software/passportadvantage/subcaplicensing.html and for more information about eligibility and reporting requirements for container licensing, please visit: https://www.ibm.com/software/passportadvantage/containerlicenses.html

If you have any trouble with the link(s) provided, please copy and paste the appropriate URL in your browser's navigation bar.

Useful/Important web resources:
Passport Advantage information, customer secure site access, training, etc.: www.ibm.com/software/passportadvantage
IBM's International Program License Agreement and product License Information documents: www.ibm.com/software/sla
IBM Software Support Web site: https://www.ibm.com/software/support/handbook.html
IBM Customer Number: 1221950