

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: INFORMATION TECHNOLOGY

AGENDA DATE: May 13, 2008

CONTACT PERSON/PHONE: GERALD GORDIER (915) 541-4288 ; TERENCE FREIBURG, PURCHASING, MGR., 541-4313

DISTRICT(S) AFFECTED: ALL

SUBJECT:

That the Purchasing Manager be authorized to issue a purchase order to Oracle Corporation for the purchase of certain Oracle software components through the State Department of Information Resources (DIR) contractor under DIR State Contract DIR-VPC-03-018 . Further, that the City Manager be authorized and directed to execute any other required documentation. (All Districts) [Financial Services, Carmen Arrieta-Candelaria (915) 541-4293 and Information Technology, Gerald Gordier, (915) 541-4288]

BACKGROUND / DISCUSSION:

The purchase of this software is part of the Information Technology department's plan to streamline and consolidate technology for the City. Currently, we are using Oracle technology for our Peoplesoft System. This purchase will allow us, over the next four years, to move our technology forward, consolidate some of our other enterprise platforms, enable single signon, and setup our environment for secure access from outside the city network to resources that are internal to the city. The deeply discounted offering and zero-percent financing makes this an attractive proposal.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?
Yes, this is an expenditure for core infrastructure software that spans the enterprise.

AMOUNT AND SOURCE OF FUNDING:

\$1,355,000.00. Total amount of the purchase. Funding will come from the FY2003 Certification of Obligation for Capital Acquisition.

BOARD / COMMISSION ACTION: Enter appropriate comments or N/A

NA/

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD:  _____
(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

08 MAY -8 PM 12:20
CITY CLERK DEPT

CITY CLERK DEPT.
08 MAY -8 AM 11:29

**AMENDMENT NUMBER 3 to
CONTRACT DIR-VPC-03-018 between
the State of Texas, acting by and through the Department of Information Resources
and Oracle Corporation**

This Amendment Number 3 to Contract DIR-VPC-03-018 ("Contract") is between the State of Texas, acting by and through the Department of Information Resources ("DIR") and Oracle Corporation ("Vendor"). DIR and Vendor agree to modify the terms and conditions of the Contract as follows:

1. **Contract, Section 2, Contract Term** is hereby restated in its entirety as follows:
The term of this Contract is hereby extended through June 30, 2008. Prior to this expiration date the parties may renew this Contract through April 20, 2010, completing the final renewal option.
2. All other terms and conditions of the Contract, not specifically modified herein, shall remain in full force and effect. In the event of conflict among the provisions, the order of precedence shall be Amendment Number 3, Amendment Number 2, Amendment Number 1 and then the Contract.

IN WITNESS WHEREOF, the parties hereby execute this Amendment to be effective as of April 20, 2008.

Oracle Corporation

Authorized By: *K. Trautman*
Oracle USA, Inc. for Oracle Corporation
Name: *Kathryn Trautman*
Title: *Sr. Contracts Manager*

Date: *4/15/2008*

**The State of Texas, acting by and through
the Department of Information Resources**

Authorized By: *Cindy Reed*
Name: *Cindy Reed*
Title: *Deputy Executive Director,
Operations & Statewide Technology
Sourcing*

Date: *4/15/08*

Legal: *[Signature]*
4/15/08



CITY CLERK DEPT.
08-MAY-08 AM 11:29

17-Apr-08

Gerald Gordier
City Of El Paso
2 Civic Center Plaza
City Hall, 7th Floor
EL PASO
TX 79901
United States

Dear Gerald Gordier,

The technical support services and benefits provided under service contract number P-01-188-01-000--28 will expire, or have expired, on 29-May-08. Please find attached an ordering document for the renewal of this service contract. If applicable, the attached ordering document may also include incremental technical support services newly acquired.

To ensure that there is no interruption to the technical support services and benefits provided under service contract number P-01-188-01-000--28, please order the technical support services on this ordering document by issuing an acceptable form of payment in accordance with the attached Order Processing Details section on or before 30-Apr-08.

If further information is required, please contact me at the e-mail address or telephone number provided below.

Regards,

Derek Bishop
Oracle Support Services
E-mail: derek.bishop@oracle.com
Tel.: 1512-671-5163
Fax: 1719-757-4291



CITY CLERK DEPT
08 MAY -8 AM 11:29

Ordering Document

Service Contract #: P-01-188-01-000--28	Renewal Contact: Derek Bishop
Offer Expires: 29-May-08	Address: 9600 North MoPac Expressway Suite 700 Austin TX 78759 United States
Payment Terms: 30 NET from date of invoice	Telephone: 1512-671-5163
Billing Terms: Quarterly in Arrears	Fax: 1719-757-4291
	E-mail: derek.bishop@oracle.com
CUSTOMER: City Of El Paso	
QUOTE TO	BILL TO
Account Contact: Gerald Gordier	Account Contact: Accounts Payable
Account Name: City Of El Paso	Account Name: City Of El Paso
Address: 2 Civic Center Plaza City Hall, 7th Floor EL PASO TX 79901 United States	Address: Information Services Two Civic Center Plaza Basement EL PASO TX 79901 United States
Telephone: 915 541-4746	Telephone:
Fax: 915 541-4017	Fax:
E-mail: GordierG@elpasotexas.gov	E-mail:

Oracle may provide certain information and notices about technical support via e-mail. Accordingly, please verify and update the Quote To and Bill To information above to ensure that such communications and notices are received from Oracle. If changes are required, please e-mail or fax the updated information to Derek Bishop at derek.bishop@oracle.com or 1719-757-4291. Please also include service contract number P-01-188-01-000--28 on such reply.

Service Details

Service Level: Software Update License & Support						End Date: 29-May-09
Product Description	CSI #	Qty	License Metric	License Level / Type	Start Date	Final Price
PeopleSoft Enterprise Asset Management For Public Se - Reported Budget Perpetual	14484271	300000000	VALUE		30-May-08	11,512.87
PeopleSoft Enterprise General Ledger For The Public - Reported Budget Perpetual	14484271	300000000	VALUE		30-May-08	19,184.76
PeopleSoft Enterprise Human Resources - Employee Count Perpetual	14484271	6000	VALUE		30-May-08	35,735.15
PeopleSoft Enterprise Inventory For Public Sector - Reported Budget Perpetual	14484271	300000000	VALUE		30-May-08	21,105.25
PeopleSoft Enterprise Purchasing For Public Sector - Reported Budget Perpetual	14484271	300000000	VALUE		30-May-08	21,105.25
PeopleSoft Enterprise Enterprise Portal - Employee Count Perpetual	14484271	6000	VALUE		30-May-08	13,433.36
PeopleSoft Enterprise Accts Receivable For The Publi - Reported Budget Perpetual	14484271	300000000	VALUE		30-May-08	17,274.34
PeopleSoft Enterprise Benefits Administration - Employee Count Perpetual	14484271	6000	VALUE		30-May-08	31,270.77
PeopleSoft Enterprise Edevelopment - Employee Count Perpetual	14484271	6000	VALUE		30-May-08	4,474.43
PeopleSoft Enterprise Ebenefits - Employee Count Perpetual	14484271	6000	VALUE		30-May-08	4,474.43
PeopleSoft Enterprise Erecruit - Employee Count Perpetual	14484271	6000	VALUE		30-May-08	6,706.63
PeopleSoft Enterprise Pension Administration - Employee Count Perpetual	14484271	6000	VALUE		30-May-08	31,270.77
PeopleSoft Enterprise Payroll North American - Employee Count Perpetual	14484271	6000	VALUE		30-May-08	35,735.15
PeopleSoft Enterprise Project Costing For Public Sec - Reported Budget Perpetual	14484271	300000000	VALUE		30-May-08	19,184.76
PeopleSoft Enterprise Accounts Payable For The Publi - Reported Budget Perpetual	14484271	300000000	VALUE		30-May-08	13,433.36
PeopleSoft Enterprise Billing For Public Sector - Reported Budget Perpetual	14484271	300000000	VALUE		30-May-08	13,433.36
PeopleSoft Enterprise	14484271	6000	VALUE		30-May-08	4,474.43

Service Level: Software Update License & Support

End Date: 29-May-09

Product Description	CSI#	Qty	License Metric	License Level / Type	Start Date	Final Price
Ecompensation - Employee Count Perpetual						
PeopleSoft Enterprise Eprofile - Employee Count Perpetual	14484271	6000	VALUE		30-May-08	4,474.43
PeopleSoft Enterprise Planning And Budgeting - Reported Budget Perpetual	14484272	300000000	VALUE		30-May-08	15,353.84
PeopleSoft Enterprise Absence Management - Employee Count Perpetual	14484273	6000	VALUE		30-May-08	0.00
PeopleSoft Enterprise Talent Acquisition Manager - Employee Count Perpetual	14484273	6000	VALUE		30-May-08	0.00
PeopleSoft Enterprise Cash Management - Reported Budget Perpetual	14481054	300000000	VALUE		30-May-08	23,001.29
PeopleSoft Enterprise Activity Based Management - Reported Budget Perpetual	14481054	300000000	VALUE		30-May-08	17,479.98

Subtotal: USD 364,118.61

Total Amount: USD 364,118.61

plus applicable tax

Notes:

1. If any of the fields listed above are blank, the program licenses were acquired under a separate license model in which such field(s) does not apply.
2. If a change to the Service Details provided above is required, please contact Derek Bishop at 1512-671-5163 or at derek.bishop@oracle.com and an updated ordering document will be provided to you in accordance with Oracle's technical support policies.

08MAY -8 AM 11:30
CITY CLERK DEPT

GENERAL TERMS

"You" and "your" refers to the Customer provided above.

In the event that the Customer and the Quote To Account Name provided above are not the same, City Of El Paso acknowledges that Customer has authorized City Of El Paso to execute this ordering document on Customer's behalf and to bind Customer to the terms described herein. City Of El Paso agrees the ordered services shall be used solely by the Customer and shall advise Customer of the terms of this ordering document as well as information and notices about technical support that Oracle provides to City Of El Paso during the term of service.

The technical support services acquired under this ordering document are governed by the terms and conditions of the STATE-28905-21-APR-03. However, any use of the programs, which includes by definition the updates and other materials provided or made available by Oracle under technical support, is subject to the rights granted for the programs set forth in the order in which the programs were acquired.

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 during the period for which fees for technical support have been paid. You should review the technical support policies prior to entering into this ordering document. The current version of the technical support policies, including Oracle's reinstatement policy, may be accessed at <http://www.oracle.com/support/policies.html>. Customers who allow technical support to lapse and later wish to reactivate it will be subject to Oracle's reinstatement policy in effect at the time of reinstatement. Applicable reinstatement fees may apply in addition to the annual technical support fees.

In the event that Priority Service is acquired under this ordering document, you acknowledge you must maintain a current Software Update License & Support contract for all licenses in a license set for which Priority Service has been purchased. By accepting this ordering document, you also acknowledge that Software Update License & Support for program licenses listed under the Priority Service level may be renewed under separate contract(s). Upon renewal, Priority Service fees will be based on the Priority Service pricing policies in effect at the time of renewal and such fees will be adjusted to account for any acquisition of additional licenses in a license set. Contractual caps on annual technical support fees for Software Update License & Support do not apply to Priority Service, unless stated otherwise in your contract.

Order Processing Details

Your order is subject to Oracle's acceptance. An order consists of the following: (i) this ordering document, which incorporates by reference the license and services agreement that you executed when you acquired technical support from Oracle or an Oracle authorized reseller, (ii) an acceptable form of payment, and (iii) a tax exemption certificate (if applicable). Oracle normally accepts orders after receipt of a purchase order, check or credit card issued in accordance with the Purchase Order, Check, Credit Card Confirmation section below. If Oracle accepts your order, the service start date is the effective date of such order and also serves as the commencement date of the technical support services.

Once ordered, technical support for the support period defined above is non-cancelable and the related fees are non-refundable.

An invoice will only be issued upon receipt of an acceptable form of payment. Regardless of the form of payment, Oracle's invoice includes applicable sales tax, GST, or VAT (collectively referred to as "tax"). If City Of El Paso is a tax exempt organization and is not a U.S. federal government entity, a copy of City Of El Paso's tax exemption certificate must be submitted with City Of El Paso's purchase order, check, credit card or other acceptable form of payment.

PURCHASE ORDER, CHECK, CREDIT CARD CONFIRMATION

Purchase Order

If the technical support services on this ordering document will be purchased by purchase order, the purchase order must include the following information:

- Service Contract #: P-01-188-01-000--28
- Term of Service: 30-May-08 to 29-May-09
- Final Total: USD 364,118.61 (excluding applicable tax)
- Local Tax, if applicable
- Agreement: STATE-28905-21-APR-03 also known as DIR-VPC-03-018

In issuing a purchase order, City Of El Paso agrees and acknowledges that the terms of this ordering document are incorporated into City Of El Paso's purchase order and that the terms of this ordering document and the terms of STATE-28905-21-APR-03 supersede 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.

Please e-mail or fax the purchase order to Oracle per the Remittance Details provided below.

Check

If the technical support services on this ordering document will be purchased by check, the check must include the following information:

- Service Contract #: P-01-188-01-000--28
- Term of Service: 30-May-08 to 29-May-09
- Final Total: USD 364,118.61 (excluding applicable tax)
- Local Tax, if applicable
- Agreement: STATE-28905-21-APR-03

In issuing a check, City Of El Paso agrees and acknowledges that the terms of this ordering document and the terms of STATE-28905-21-APR-03 shall apply to the technical support services ordered. No terms attached or submitted with the check shall apply.

Please mail check payments per the Remittance Details provided below.

Credit Card Confirmation

If the technical support services on this ordering document will be purchased by credit card, please complete the section below and return it to Oracle per the Remittance Details provided below. Please note that Oracle is unable to process credit card transactions of USD100,000 or greater.

Service Contract #: P-01-188-01-000--28
Term of Service: 30-May-08 to 29-May-09
Final Total: USD 364,118.61 (excluding applicable tax)
Agreement: STATE-28905-21-APR-03

Credit Card Number

Expiration Date

Billing Address (associated with Credit Card)

City, State, and Zip (associated with Credit Card)

Authorized Signature

Name

The credit card must be valid for the entire Term of Service above. In issuing this credit card confirmation, City Of El Paso agrees and acknowledges that the terms of this ordering document and the terms of STATE-28905-21-APR-03 shall apply to the technical support services ordered. No terms attached or submitted with the credit card confirmation shall apply.

REMITTANCE DETAILS

Purchase orders or credit card details for the technical support services ordered hereto should be sent to:

Attn: Derek Bishop
Oracle Support Services
Fax: 1719-757-4291
E-mail: derek.bishop@oracle.com

Checks for the technical support services ordered hereto should be sent to:

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

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

All other States:

Oracle USA, Inc.
PO Box 71028
Chicago, IL 60694-1028

CITY CLERK DEPT
09 MAY -8 AM 11:30