

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

CITY CLERK DEPT.
08 AUG 18 PM 2:53

DEPARTMENT: INFORMATION TECHNOLOGY

AGENDA DATE: AUGUST 26, 2008

CONTACT PERSON/PHONE: GERALD GORDIER (915) 541-4288

DISTRICT(S) AFFECTED: TERRENCE FREIBURG, PURCHASING MANAGER, 541-4313

DISTRICT(S) AFFECTED: ALL

SUBJECT:

Request that the Purchasing Manager, Financial Services, Purchasing Division, be authorized to issue a Purchase Order to SirsiDynix, the sole source developer, manufacturer and distributor, who is the current provider of the Library Automation Software. Maintenance for the Dynix/Horizon Software can only be provided by SirsiDynix. Contract Period September 1, 2008 through August 31, 2009. Total Estimated Amount \$55,203.21. Reference 2006-196.

BACKGROUND / DISCUSSION:

The El Paso library system has been using this application for several years and this is a continuation of maintenance of the Dynix/Horizon Software for another fiscal year. This maintenance contract includes both hardware and software maintenance.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

YES

AMOUNT AND SOURCE OF FUNDING:

Total: \$55,203.21 The funding is available in the Information Technology Department's General Funds Acct: 502202-01101-39010351-39001.

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: _____



FINANCIAL SERVICES
PURCHASING

SOLE SOURCE AFFIDAVIT

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THIS IS AN OFFICIAL PURCHASING DOCUMENT - RETAIN WITH PURCHASE ORDER FILE

Before me, the undersigned official, on this day, personally appeared Bryce Jasperson a person known to me to be the person whose signature appears below, whom after being duly sworn upon his/her oath deposed and said:

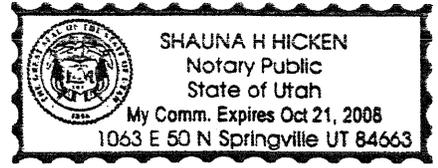
1. My name is Bryce Jasperson I am over the age of 18, have never been convicted of a crime and am competent to make this affidavit.
2. I am an authorized representative of the following company or firm SirsiDynix
3. The above named company or firm is the sole source of the following item(s), product(s) or service(s)
Horizon Automated Library Software
4. Competition in providing the above named item(s) product(s), service(s) is precluded by the existence of a patent, copyright, secret process or monopoly as stated under Section 252.022, Subchapter A of the Local Governmental Code "A" or as provided for under 7B-F of the same section. Also, attached hereto is a sole source letter which sets forth the reasons why this bidder is a sole source provider (dated and signed).
5. There are no other like item(s) or product(s) available for purchase that would serve the same purpose or function.
6. Note: This bidder understands that by providing false information on this Sole Source Affidavit, it may be considered a non-responsible bidder on this and future solicitations and may result in discontinuation of any/all business with the City of El Paso.

Bryce Jasperson
Signature

SUBSCRIBED AND SWORN to before me on this 25th day of June 2007

Shauna H. Hicken
NOTARY PUBLIC
Shauna H. Hicken
PRINT NAME
Oct 21, 2008
MY COMMISSION ENDS

COMPANY SirsiDynix
ADDRESS: 400 W Dynix Dr
CITY, STATE, ZIP CODE Provo, UT 84606
FAX NUMBER: 801-223-5202
CONTACT NAME: Bryce Jasperson
WEB ADDRESS: www.sirsidynix.com
EMAIL: bryce.jasperson@sirsidynix.com
FEDERAL TAX ID NUMBER: 63-1233771
TEXAS SALES TAX NUMBER: _____





SOLE SOURCE AFFIDAVIT

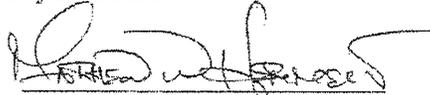
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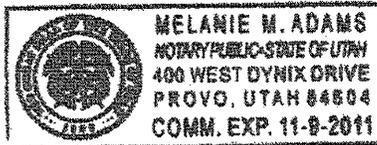
THIS IS AN OFFICIAL PURCHASING DOCUMENT—RETAIN WITH PURCHASE ORDER FILE

Before me, the undersigned official, on this day, personally appeared Matthew W. Hemmert, a person known to me to be the person whose signature appears below, whom after being duly sworn upon his oath deposed and said:

1. My name is Matthew W. Hemmert. I am over the age of 18 and have never been convicted of a crime and am competent to make this affidavit.
2. I am an authorized representative of SirsiDynix.
3. The above named company is the sole source of the following item(s), product(s) or service(s):
 - a. Horizon Automated Library Software
 - i. Platform Migration Services
 - ii. Server Staging and Software Installation
 - iii. Remote Server Integration
4. Competition in providing the above named item(s), product(s), service(s) is precluded by the existence of a patent, copyright, secret process or monopoly, as states under Section 252.022, Subchapter A of the Local Governmental Code 7A or as provided under 7B-F of the same section. Also, attached hereto is a sole source letter, which sets forth the reasons why this bidder is a sole source provider (dated and signed).
5. There are no other like items or products available for purchase that would serve the same purpose or function.
6. **Note: This bidder understands that by providing false information on this Sole Source Affidavit, it may be considered a non-responsible bidder on this and future solicitation and may result in discontinuation of any/all business with the City of El Paso.**


Matthew W. Hemmert

SUBSCRIBED AND SWORN to before me on this 12th day of June, 2008.




NOTARY PUBLIC

MELANIE M. ADAMS
Printed Name

11-9-2011
My Commission Expires

Company: SirsiDynix
 Address: 400 W. Dynix Drive
 City, State, Zip: Provo, Utah 84604
 Fax Number: 801-223-5561
 Contact Name: Matthew Hemmert
 Web Address: www.sirsidynix.com
 Email: matthew.hemmert@sirsidynix.com
 Federal Tax Id: 63-1233771



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08 AUG 18 PM 2:53

June 11, 2008

Nora A. Rayas
Library Contact - Primary
El Paso Public Library
501 North Oregon
El Paso, TX 79901

Re: Sole Source Letter

Dear Ms Rayas:

This letter is to confirm that SirsiDynix Corporation (SirsiDynix) is the developer and and/or sole source provider for all SirsiDynix software and specialized services. The Horizon Automated Library Software ("Horizon") product was developed at private expense by SirsiDynix. Horizon is a proprietary software product that is only available from SirsiDynix and SirsiDynix retains the exclusive trade-mark, copyright, trade secret and/or patent rights to the Horizon software. The Horizon software is provided only to those users that have signed a licensing agreement, therein agreeing to protect the confidentiality of the proprietary information and trade secrets of SirsiDynix's Horizon software. We have sole knowledge about the development of the software and certain configuration requirements that are exclusive to the Horizon software. Consequently, only SirsiDynix is able to sell and maintain the software as well as continue to make further enhancements in the Horizon software.

SirsiDynix is the library automation vendor for the Library pursuant to the agreement that has been signed by both parties. As such, SirsiDynix provides maintenance and support for the complete system for the Library. As software or hardware is added to the system, SirsiDynix requires that the software and specialized services be purchased directly from SirsiDynix in order to ensure continued support and compatibility of the new software and hardware with the existing system. Services that fall within this requirement, and which can only be provided by SirsiDynix, include but are not limited to: (1) platform migration, (2) server staging and software installation, and (3) remote server integration

Please let me know if I can provide any additional information or answer any questions for you.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew W. Hemmert".

Matthew W. Hemmert
Associate Corporate Counsel