

Item 54  
(O-2016-10)  
11-10-15

ORDINANCE NUMBER O- 20578 (NEW SERIES)

DATE OF FINAL PASSAGE NOV 24 2015

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING EXECUTION OF AMENDMENT NO. 2 TO THE AGREEMENT WITH SAP PUBLIC SERVICES, INC. FOR APPLICATION SUPPORT SERVICES AND SOFTWARE LICENSES RELATED TO THE SAP SYSTEMS OF THE CITY OF SAN DIEGO.

WHEREAS, on June 13, 2007, San Diego Data Processing Corporation (SDDPC) and SAP Public Services, Inc. (SAP) entered into an Agreement to provide a Software License Agreement and related application support services for end-user support and maintenance of the SAP suite of programs used by the City for its SAP system (Agreement); and

WHEREAS, pursuant to a separate assignment agreement effective as of January 1, 2012, SDDPC assigned its rights and obligations under the Agreement to the City, and SAP consented to such assignment; and

WHEREAS, Amendment No. 1 to the Agreement was approved by Council Resolution R-307801 and made effective on December 2, 2012; and

WHEREAS, the proposed Amendment No. 2 to the Agreement is required to extend the term of the Agreement, provide a not-to-exceed amount for the extension term, and modify the Agreement's insurance provisions; and

WHEREAS, under Charter section 99, no contract, agreement or obligation extending for a period of more than five years may be authorized except by Ordinance approved by a two-thirds majority vote of the City Council; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the Mayor be and he is hereby authorized and empowered to execute, for and on behalf of the City, Amendment No. 2 to the Agreement with SAP for the purpose of extending the term of the Agreement, providing a not-to-exceed amount of \$31,550,183 for the extension term, and modifying the Agreement's insurance provisions under the terms and conditions set forth in the Agreement on file in the Office of the City Clerk as Document No. OO

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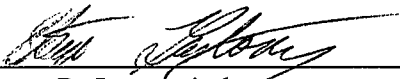
Section 2. That the Chief Financial Officer is authorized to expend funds in an amount not to exceed a total of \$31,550,183 for the remaining term of the Agreement, as amended, which includes \$7,217,599 for Fiscal Year 2016, of which \$3,575,859 is from Fund 200610 - OneSD Support Fund for OneSD IT operational costs, and \$3,641,740 is from CIP S14000 EAM ERP Implementation, Funds 700008 - Muni Sewer Utility CIP Fund, 700009 - Metro Sewer Utility CIP Fund, 700010 - Water Utility CIP Fund, & 200610 - OneSD Support Fund CIP Fund, and \$24,332,584 for the completion of the contract from FY2017 through FY2020, contingent upon the passage of the Appropriations Ordinance for the applicable fiscal years and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditures are, or will be, on deposit with the City Treasurer.

Section 3. That the Chief Financial Officer, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

Section 4. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 5. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Steven R. Lastomirsky  
Deputy City Attorney

SRL:bas  
10/7/2015  
Or.Dept:[Dept]

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of NOV 10 2015

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 11/19/15  
(date)

  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on NOV 10 2015, by the following vote:

Council Members	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 24 2015

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By Aty Brady, Deputy

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on NOV 10 2015, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

(Seal)

By Aty Brady, Deputy

Office of the City Clerk, San Diego, California  
Ordinance Number O- 20578