

Item # 600 8 10 16

(O-2016-157)

ORDINANCE NUMBER O- 20725 (NEW SERIES)

DATE OF FINAL PASSAGE AUG 17 2016

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING EXECUTION OF AMENDMENT NO. 2 TO THE CONTRACT WITH BONDEDGE SOLUTIONS, LLC. FOR APPLICATION SUPPORT SERVICES AND SOFTWARE LICENSES RELATED TO THE CITY OF SAN DIEGO BONDEDGE SOFTWARE SYSTEM.

WHEREAS, on June 27, 2011, the City of San Diego (City) and Interactive Data Corporation (IDCO) entered into the BondEdge Next Generation Contract (Contract) to provide a license agreement to use the BondEdge system of computer programs, software, databases, and other information, as well as consulting, technical assistance and related support services and Updates of the BondEdge system as described in the Contract; and

WHEREAS, the Contract was a cooperative procurement agreement based on IDCO's submittal of a proposal in response to a Request for Proposal (RFP) No. 1085-09 VZN issued by King County in Seattle, Washington on April 16, 2009, that was deemed by the City to comply with the City's competitive procurement requirements; and

WHEREAS, King County's agreement with IDCO was entered into on April 30, 2010 with an effective date commencing with King County's Installation Date of July 29, 2010, for an original term of five years; and

WHEREAS, the Contract involving the City of San Diego and IDCO was entered into on June 27, 2011, with an effective date commencing with the City's Installation Date of August 4, 2011, for an original term of five years; and

WHEREAS, as set forth in the Contribution Agreement between IDCO and BondEdge Solutions LLC (BondEdge), on January 1, 2013, BondEdge was formed as a wholly owned subsidiary of IDCO and was assigned and assumed the assets and liabilities of IDCO's BondEdge Solutions Division; and

WHEREAS, the letter dated October 30, 2015, entitled "Affiliate Assignment-BondEdge Solutions LLC" specified that the assignment and assumption of the BondEdge Solutions Division from IDCO to BondEdge included the transfer, assignment, and assumption of all services agreements, licenses, and contracts by and between IDCO acting by and through its BondEdge Solutions Division and any licensee, customer, or client, for the provision of any BondEdge branded software, products, or services, which includes the Contract; and

WHEREAS, on November 30, 2015, based on the foregoing assignment and assumption from IDCO to BondEdge, the Amendment No. 1 to the Contract was approved and made effective to specify that the Contract was to be with BondEdge (formerly known as Interactive Data Corporation, acting by and through its Interactive Data Fixed Income Analytics Division) as well as to amend the Contract so that City obtained an additional Admin Key, which is needed to access the City of San Diego BondEdge Software System and to remove the Total Return Optimizer module from the Software System which was no longer needed by City so that City would realize a corresponding cost savings from such removal; and

WHEREAS, pursuant to the First Amendment to King County's agreement with BondEdge, which became effective on August 5, 2015, King County in Seattle, Washington has extended the term of its agreement with BondEdge for another five years until July 29, 2020; and

WHEREAS, the Contract involving the City and BondEdge was entered into on June 27, 2011, with an effective date commencing with the City's Installation Date of August 4, 2011, for an original term of five years; and

WHEREAS, the proposed Amendment No. 2 to the Contract is required to extend the term of the Contract and provide a not-to-exceed amount for the extension term; 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 or his designee is authorized and directed to execute, for and on behalf of the City, Amendment No. 2 to the Contract with BondEdge for the purpose of extending the term of the Contract and providing a not-to-exceed amount of \$350,000 for the extension term, under the terms and conditions set forth in the Contract on file in the Office of the City Clerk as Document No. OO 20725

Section 2. That the Chief Financial Officer is authorized to expend funds in an amount not to exceed a total of \$350,000 for Amendment No. 2 to the Contract, contingent upon authorization of the respective fiscal year budget and provided that the Chief Financial Officer certifies that funds are available for this purpose.

Section 3. 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 4. 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 
Kenneth So
Deputy City Attorney

KRS:jdf
06/21/16
Or. Dept: Treasurer
Doc. No.: 1235618_4

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of AUG 10 2016

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 8/17/16
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on AUG 10 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherr 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 17 2016.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

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 Hy Brady, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 20725