

Item 56
(O-2017-103)
4-4-17

ORDINANCE NUMBER O- 20810 (NEW SERIES)

DATE OF FINAL PASSAGE APR 04 2017

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING EXECUTION OF THE FIRST AMENDMENT TO THE MASTER AGREEMENT WITH ATOS GOVERNMENTAL IT OUTSOURCING SERVICES, LLC, FOR IT SERVICES RELATED TO THE PROVISION OF NETWORK SERVICES.

WHEREAS, on June 26, 2012, the City Council approved Resolution No. R-307534 which authorized the execution of a five year Master Agreement for IT Services (Agreement) with Xerox State and Local Solutions, Inc. (Xerox); and

WHEREAS, in 2015 Xerox assigned the Agreement to a newly formed entity which was acquired by a subsidiary of Atos IT Solutions & Services, Inc. and renamed as Atos Governmental IT Outsourcing Services, LLC (Atos); and

WHEREAS, the parties desire to enter into a First Amendment to the Agreement between the City and Atos for the purpose of extending the term of the Agreement for up to an additional one (1) year and six (6) months, through December 31, 2018, in order to allow for disentanglement, to increase the not-to-exceed amount of the Agreement to \$79,722,322, and to otherwise modify the Agreement pursuant to the terms and conditions contained in the First Amendment to the Agreement; 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 hereby authorized to execute, for and on behalf of the City, the First Amendment to the Agreement with Atos Governmental IT Outsourcing Services, LLC, for the purpose of extending the term of the Agreement up to an additional one (1) year and six (6) months, through December 31, 2018, in order to allow for disentanglement, increasing the not-to-exceed amount of the Agreement to \$79,722,322, and otherwise modifying the Agreement pursuant to the terms and conditions contained in the First Amendment to the Agreement on file in the Office of the City Clerk as Document No. OO-
20810

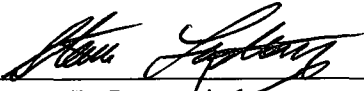
Section 2. That the Chief Financial Officer is hereby authorized to expend an amount not to exceed \$79,722,322 over the term of the Agreement with Atos Governmental IT Outsourcing Services, LLC, as amended, for the purpose of funding the Agreement, contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure 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: MARA W. ELLIOTT, City Attorney

By 
Steven R. Lastomirsky
Deputy City Attorney

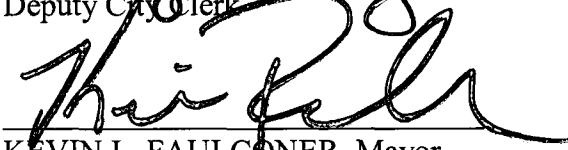
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2/9/2017
Or.Dept:IT
Doc. No.: 1442538

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 04 2017.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 4/4/17
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on APR 04 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<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"/>
Chris Ward	<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"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 04 2017.

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

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 21 2017, and on APR 04 2017.

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.

(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
Ordinance Number O- <u>20810</u>