

Item 57
(O-2017-98)
4 - 4 - 17

ORDINANCE NUMBER O- 20811 (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 AGREEMENT WITH ATOS IT SOLUTIONS & SERVICES, INC. FOR DATA CENTER AND HELP DESK IT SERVICES.

WHEREAS, on May 23, 2012, the City Council approved Resolution No. R-307432-1 which authorized the execution of a Master Services Agreement with Atos IT Solutions and Services, Inc. for Data Center and Help Desk Services (Agreement); and

WHEREAS, the parties desire to enter into a First Amendment to the Agreement to extend the term of the Agreement in order to take into account the transition period from the previous vendor and to increase the not to exceed amount and otherwise modify the Agreement pursuant to the terms and conditions of 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 Master Services Agreement with Atos IT Solutions & Services, Inc., for the purpose of extending the term of the Agreement through June 30, 2018, increasing the not-to-exceed amount of the Agreement to \$58,475,546, 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-


20811.

Section 2. That the Chief Financial Officer is authorized to expend an amount not to exceed \$58,475,546 during the term of the Master Services Agreement with Atos IT Solutions & Services, Inc., 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 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: MARA W. ELLIOTT, City Attorney

By 
Steven R. Lastomifsky
Deputy City Attorney

SRL:bas
2/2/2017
Or.Dept:IT
Document No. 1436202

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 *Sty. Beach*
Deputy City Clerk

Approved: 4/4/17
(date)

Kevin L. Faulconer
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 Chady*, 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 Chady*, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 20881