

#60
5/15/18

(O-2018-101)

ORDINANCE NUMBER O- 20936 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 15 2018

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING EXECUTION OF THE SECOND AMENDMENT TO THE AGREEMENT WITH ATOS IT SOLUTIONS AND SERVICES, INC. FOR DATA CENTER, SERVICE DESK AND DESKTOP 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, Service Desk and Desktop Services (Agreement); and

WHEREAS, final passage of Ordinance No. O-20911, which authorized execution of a First Amendment to the Agreement occurred on April 4, 2017 and the First Amendment became effective on April 7, 2017; and

WHEREAS, the parties desire to enter into a Second Amendment to the Agreement to extend the term of the Agreement, increase the not to exceed amount and otherwise modify the Agreement pursuant to the terms and conditions of the Second 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 Second 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, 2020, with a disentanglement period of up to an additional twenty-four months, increasing

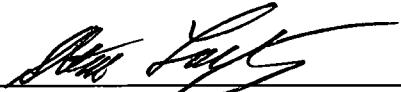
the not-to-exceed amount of the Agreement to \$103,768,700 and otherwise modifying the Agreement pursuant to the terms and conditions contained in the Second Amendment to the Agreement on file in the Office of the City Clerk as Document No. OO- 20936

Section 2. That the Chief Financial Officer is authorized to expend an amount not to exceed \$103,768,700 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. Lastowski
Deputy City Attorney


SRL:
April 10, 2018
Or.Dept: IT
Doc. No.: 1724462

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAY 15 2018.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 5/15/18
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on MAY 15 2018, 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 MAY 15 2018.

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 *Atty Rudy*, 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

APR 30 2018, and on MAY 15 2018.

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 *Atty Rudy*, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 20936