

#58  
04/25/2023

(O-2023-134)  
COR.COPY

ORDINANCE NUMBER O- 21643 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 01 2023

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AUTHORIZING EXECUTION OF THE FOURTH  
AMENDMENT TO THE AGREEMENT WITH BENTLEY  
SYSTEMS, INC. FOR COMPUTER AIDED DRAFTING  
DESIGN (CADD) APPLICATION SERVICES AND RELATED  
ACTIONS.

WHEREAS, on July 1, 2017, the City of San Diego (City) entered into a five-year agreement with Bentley Systems, Incorporated (Bentley) for Computer Aided Drafting Design (CADD) application services (Agreement) which is utilized citywide in implementing the City's Capital Improvement Program (CIP); and

WHEREAS, Bentley Systems – MicroStation application tool is currently being used by various City Departments, including the Engineering & Capital Projects (E&CP) Department, to create detailed engineering plans and drawings for construction projects; and

WHEREAS, the enterprise license subscription, ProjectWise cloud environment, and related maintenance & support services are managed by E&CP and the costs are allocated based on the number of active licenses between E&CP, Transportation, Environmental Services, Storm Water and the Public Utilities Departments; and

WHEREAS, the E&CP Department has over 225 CADD users of its 675+ engineering position classifications that are dependent on the applications/workflows for planning, design, and construction of CIP projects.; and

WHEREAS, the City and Bentley have previously entered into three contract amendments to extend the duration and increase the not to exceed amount of the Agreement; and

WHEREAS, the City and Bentley have negotiated a Fourth Amendment to the Agreement with Bentley to extend the term of the Agreement for one additional year to June 30, 2024, in a total amount not to exceed \$1,103,482 with \$876,169 to Bentley for CADD software in Fiscal Year 2024 and an additional \$227,313 for anticipated as-needed software support and instructor-led training (Fourth Amendment); and

WHEREAS, the Fourth Amendment is needed to ensure that the City has access to uninterrupted CADD software services while the City completes the Request for Proposal process for a new long-term contract; 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 City Council; and

WHEREAS, the Office of the City Attorney has drafted this ordinance based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

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

Section 1. The Fourth Amendment to Bentley Systems, Incorporated contract with the City of San Diego to extend the duration one year to June 30, 2024 and increase the funding amount not to exceed \$1,103,482, under the terms and conditions set forth in the Fourth Amendment to the Agreement on file in the Office of the City Clerk as Document No. OO

21643 is approved.

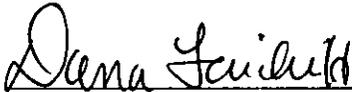
Section 2. The Mayor, or designee, is authorized to sign and deliver the Fourth Amendment.

Section 3. The Chief Financial Officer is authorized to expend an amount not to exceed \$1,103,482 with \$876,169 to Bentley for CADD software in Fiscal Year 2024; \$14,248.81 from Fund No. 700000, Muni Sewer Revenue Fund; \$18,585.40 from Fund No. 700001, Metro Sewer Utility Fund; \$29,117.13 from Fund No. 700011, Water Utility Operating Fund; \$23,600.51 from Fund No. 700039, Refuse Disposal Enterprise Fund; \$663,764.39 from Fund No. 720057, Engineering & Capital Projects Fund; \$23,600.51 from Fund No. 100000, General Fund, Business Area 2114, Storm Water Department; and \$103,252.24 from Fund No. 100000, General Fund, Business Area 2116, Transportation Department; and an additional \$227,313 over one year for anticipated as-needed software support and instructor-led training; and

Section 4. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the 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   
Dana Fairchild  
Deputy City Attorney

DF:hm  
March 22, 2023  
April 5, 2023 COR.COPY  
Or.Dept: E&CP  
Doc. No.: 3260307\_2

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 25 2023

DIANA FUENTES  
Interim City Clerk

By Connie Patterson  
Deputy City Clerk

Approved: 5/1/23  
(date)

Todd Gloria  
TODD GLORIA, Mayor

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

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on APR 25 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 01 2023.

AUTHENTICATED BY:

(Seal)

TODD GLORIA  
Mayor of The City of San Diego, California.

DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By Krystle Medina, 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 11 2023, and on MAY 01 2023.

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)

DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By Krystle Medina, Deputy  
for Connie Patterson

Office of the City Clerk, San Diego, California
Ordinance Number O- <u>21643</u>