

RESOLUTION NO. 2017 - 565

A RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO TELVENT USA LLC, FORT COLLINS, CO, IN CONNECTION WITH THE SMALL UTILITY ENTERPRISE LICENSE RENEWAL.

WHEREAS, there exists a need to renew the agreement for the Small Utility Enterprise License; and

WHEREAS, the City of Vineland has a need to acquire such service as a Non-Fair and Open Contract pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, the purchasing agent has determined and certified in writing that the value of said services will exceed \$17,500.00; and

WHEREAS, the Director of Information Systems has recommended that a contract be awarded to Telvent USA LLC, Fort Collins, CO, for renewal for the Small Utility Enterprise License for a three (3) year period beginning December 15, 2017 through December 14, 2020 in a total amount not to exceed \$84,000.00 (\$28,000 invoiced annually); and

WHEREAS, Telvent USA LLC has completed and submitted a Business Entity Disclosure Certification and the Political Contribution Disclosure Form for Non-Fair and Open Contract which certifies that Telvent USA LLC has not made any reportable contributions to a political or candidate committee in the City of Vineland in the previous one year and that the contract will prohibit Telvent USA LLC from making any reportable contributions through the term of the contract to a political or candidate committee in the City of Vineland; and

WHEREAS, the availability of funds for said contract to be awarded herein have been certified by the Chief Financial Officer; and

WHEREAS, the City of Vineland has certified that this meets the statute and regulations governing the award of said contracts.

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Vineland that:

1. This contract is awarded without competitive bidding in accordance with 40A:5(dd) of the Local Public Contracts Law for the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software, except that this provision shall not be utilized to acquire or upgrade non-proprietary hardware or to acquire or update non-proprietary software.
2. The Purchasing Agent be and the same is hereby authorized to issue contract to Telvent USA LLC, Fort Collins, CO, in an amount not to exceed \$28,000.00 per year for the Small Utility Enterprise License renewal, for a three (3) year period beginning December 15, 2017 through December 14, 2020 in a total amount not to exceed \$84,000.00.
3. The Business Disclosure Entity Certification, the Political Contribution Disclosure Form and the Determination of Value be placed on file with this Resolution.
4. Notice of this action shall be printed once in the Daily Journal.

Adopted:

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
City Clerk

**REQUEST FOR RESOLUTION  
FOR COOPERATIVE CONTRACT AWARDS  
UNDER 40A:11-12, N.J.A.C. 5:34-7.29 & LFN 2012-10  
(REQUIRED FOR PURCHASES OVER \$17,500.00)  
11/30/2017**



\_\_\_\_\_  
(DATE)

1. Goods or Services (detailed description): Small Utility Enterprise License Agreement
2. Amount to be Awarded: \$ 28,000.00 per yr. 3 yr contract \$84,000.00

- Encumber Total Award  
 Encumber by Supplemental Release

3. Budgeted: By Ordinance No. \_\_\_\_\_  
Or Grant: Title & Year \_\_\_\_\_

4. \*\*Account Number to be Charged: 002-0-54-90-9006-2-5023016 E922

5. Contract Period (if applicable): Year 1 of 3yr agreement 12/15/17 - 12/14/18

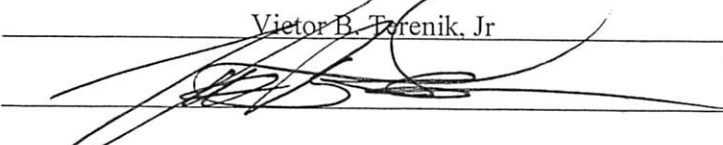
6. \_\_\_\_\_  
7. Date to be Awarded: 12/26/2017

8. Recommended Vendor and Address: Telvent USA LLC 4701 Royal Vista Circle  
Fort Collins, CO 80528

9. Justification for Vendor Recommendation:(attach add'l information for Council review)  
Quote Attached Sole source renewal for Contract No. 2011-569  
\_\_\_\_\_  
\_\_\_\_\_

Type of Contract:  State  National  Regional  County

- Vendor's Cooperative Contract Sole Source renewal for Contract No. 2011-569  
10. Evaluation Performed by: IS Division Staff

11. Approved by: Victor B. Torenik, Jr  


12. Attachments:  
 Awarding Proposal  
 Other: Contract/Agreement

- Send copies to:  
Purchasing Department  
Business Administration



\*\*If more than one account #, provide break down



---

**Amendment 3**  
**Small Utility Enterprise License Agreement**

In accordance with the terms and conditions of the Small Utility Enterprise License Agreement ("Agreement" or "ELA") between City of Vineland ("Licensee") and Telvent USA LLC, formerly Telvent USA Corporation ("Telvent"), Contract No. 2011-569, the parties hereby wish to amend the Agreement for the purpose of renewing the ELA for an additional three-year period. The terms of the Agreement shall be amended as follows:

**Article 6, Term, Termination, and Renewal**

The paragraph a. of Article 6 shall be deleted and replace it with the following provision.

The license granted by this ELA is for a period of three (3) years from the Effective Date, unless terminated earlier as provided herein. The term of all licenses and the authorized period of use for all Enterprise Software deployed by Licensee shall be concurrent with the term of this ELA Amendment. License granted for the Enterprise Software is term license, not an indefinite or perpetual license.

For the avoidance of doubt, the Effective Date for Year 1 under this Amendment 3 is December 15, 2017.

**Exhibit 2**

The list of Telvent proprietary software to which Licensee has access during the term of this Amendment 3, found in Exhibit 2, is removed and replaced with the following:

- ArcFM
- ArcFM Viewer
- Designer
- Designer Express
- Conduit Manager
- Network Adapter
- Fiber Manager
- ArcFM Viewer with Redliner
- ArcFM Viewer with Inspector
- Wavepoint
- ArcFM Geodatabase Manager
- ArcFM Web

**Exhibit 3**

The table showing the Total Annual Fee due to Telvent is removed and replaced with the following:

---

	<b>Year 1</b> 12/15/17 – 12/14/18	<b>Year 2</b> 12/15/18 – 12/14/19	<b>Year 3</b> 12/15/19 – 12/14/20	<b>Total</b>
<b>Total Annual Fee</b>	\$28,000	\$28,000	\$28,000	\$84,000

All terms and conditions of the Agreement not specifically amended as provided herein shall remain unchanged and in full force and effect.

**Accepted and Agreed:**

**City of Vineland**

**Telvent USA, LLC**

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

# ArcFM™ Small Utility Licensing Program

from Schneider Electric

Schneider Electric provides an Enterprise License Agreement for Small Utilities, a cost-effective ArcFM GIS licensing option for U.S. electric, gas, and water/wastewater utilities with 100,000 combined meters or less.

**Release your GIS with unlimited software**  
Schneider Electric's Small Utility Enterprise License Agreement (SU-ELA) program complements the Esri Small Utility ELA program. With the SU-ELA, cooperative and municipal utilities can extend their core GIS technology to provide a complete utility GIS solution - ArcFM. A packaged set of services to implement the ArcFM technology is also available.

The ELA-SU provides small utilities the ArcFM Solution with the following exceptional provisions, at a flat, three-year licensing cost:

- Unlimited deployment of all ArcFM Solution products
- Full maintenance and updates for deployed products
- Comprehensive technical support
- 3-year cyclical renewal period

Designed to provide true value, Schneider Electric's SU-ELA program allows small utilities to deploy more seats and additional ArcFM products for less cost than standard per-seat and per-product licensing arrangements. Through three annual payments, small utilities will have access to the entire ArcFM Solution, providing deployment flexibility and greatly simplified license management.

## Licensing Program

The program includes unlimited deployment by your organization during the term of this agreement to the Schneider Electric enterprise software listed below. Licenses are valid for the three-year term of the agreement.

- ArcFM
- ArcFM Viewer
- ArcFM Mobile\*
- Designer
- Designer Express
- Conduit Manager
- Network Adapter
- Fiber Manager
- ArcFM Viewer with Redliner
- ArcFM Viewer with Inspector
- ArcFM Server
- ArcFM Geodatabase Manager
- Responder\*

\* included as part of ArcFM Small Utility Plus Program

## Pricing SU-ELA

	SU-ELA Core	SU-ELA Plus (Includes ArcFM Mobile & Responder)
Level 1 (0 - 10,000 customers)	\$12,000/year	\$24,000/year
Level 2 (10,001 - 50,000 customers)	\$28,000/year	\$43,500/year
Level 3 (50,001 - 100,000 customers)	\$56,000/year	\$88,500/year

4701 Royal Vista Circle  
Fort Collins, CO 80528  
Phone: 1.866.537.1081  
www.schneider-electric.com

Life Is On

**Schneider**  
Electric