

BEFORE THE METRO CONTRACT REVIEW BOARD

FOR THE PURPOSE OF APPROVING A)	RESOLUTION NO. 12-4347
CONTRACT AMENDMENT TO THE)	
ENTERPRISE LICENSE AGREEMENT WITH)	Introduced by Metro Chief Operating Officer
ENVIRONMENTAL SYSTEMS RESEARCH)	Martha Bennett, with the concurrence of
INSTITUTE, INC. ("ESRI"))	Council President Tom Hughes.

WHEREAS, pursuant to ORS 279A.060 and Metro Code 2.04.010 the Metro Council is designated as the Contract Review Board for the regional government; and

WHEREAS, Metro Code 2.04.058 authorizes the Chief Operating Officer to execute amendments to public contracts provided that either the provisions of Metro Code 2.04.058 (a)(1)-(5) are met or that the Metro Contract Review Board authorizes the contract amendment; and


WHEREAS, on May 12, 2009, Metro entered into an Enterprise License Agreement with Environmental Systems Research Institute, Inc. ("ESRI") permitting Metro's use of certain ESRI geographic information system applications and providing for certain software support services for original contract amount of \$250,000.00; and

WHEREAS, the current agreement with ERSI expires on June 30, 2012, and a contract amendment in the amount of \$240,000.00 has been proposed to extend the Enterprise License Agreement and the provision of related support services from ERSI; and

WHEREAS, the staff of the Metro Data Resource Center and the Metro Procurement Officer recommend extending the Enterprise License Agreement with ERSI for the reasons provided in the attached staff report and because such extension is in the best interests of Metro; therefore

BE IT RESOLVED that the Metro Council, acting as the Metro Contract Review Board, authorizes the Metro Chief Operating Officer to execute a contract amendment with ERSI in a form substantially similar to Attachment 1 to extend the current Enterprise License Agreement.


ADOPTED by the Metro Council this 17 day of May, 2012.



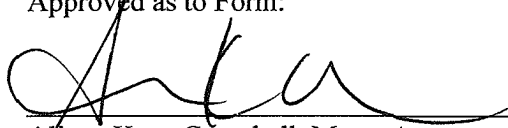
Tom Hughes, Council President

Attest:

Approved as to Form:



Kelsey Newell, Recorder
Josh Springer



Alison Kean Campbell, Metro Attorney

STAFF REPORT

FOR THE PURPOSE OF APPROVING A CONTRACT AMENDMENT TO THE ENTERPRISE LICENSE AGREEMENT WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. ("ESRI")

Date: April 12, 2012

Prepared by: Tim Collier
Zac Christensen

BACKGROUND

The Metro Data Resource Center (DRC) has provided Geographic Information System (GIS) services and products to the region's cities and counties for the past 30 years, including for the past 21 years, providing the Regional Land Information System (RLIS), resulting in considerable cost savings to Metro and regional partner agencies.

Throughout this time, the DRC has utilized ESRI software products both at the desktop and server levels of RLIS. The software is used for producing maps, performing analysis, developing applications, and is deployed to over ninety users in various departments across the agency. Additionally, RLIS data developed using ESRI software is distributed to over 170 external subscribers and regional partner agencies.

The proposed contract amendment allows Metro more access to ESRI software products while realizing a \$10,000.00 decrease in total cost when compared to the original 2009 Enterprise License Agreement. The contract amendment also provides a stable, fixed cost for GIS software over the next three years and reduces overhead costs associated with a yearly procurement process alternative. Most importantly, the proposed amendment ensures software continuity within RLIS and allows the DRC to continue to provide GIS analysis support and products to internal and external clients.

ANALYSIS/INFORMATION

1. **Known Opposition:** There is no known opposition.
2. **Legal Antecedents:** None known
3. **Anticipated Effects:** Approval of contract amendment will ensure software continuity within RLIS and allow the DRC to continue to provide GIS analysis support and products to internal and external clients.
4. **Budget Impacts:** Base-budget revenue is in place to fund yearly expenses throughout the duration of the contract.

RECOMMENDED ACTION

Research Center and Data Resource Center recommend that the Council approve the contract amendment to our Enterprise License Agreement with ESRI.



Amendment No. 1
Contract No. 2009ELA1875

Esri, 380 New York St., Redlands, CA 92373-8100 USA • TEL 909-793-2853 • FAX 909-793-5953

This Amendment No. 1 is entered into by and between Metro and Environmental Systems Research Institute, Inc. (hereinafter referred to as "Esri").

WHEREAS, Esri and Metro entered into an Enterprise License Agreement dated May 12, 2009 ("Agreement"); and

WHEREAS, the parties desire to amend the E512G Enterprise License Terms and Conditions of the Agreement to extend the term for an additional three (3) years from July 1st, 2012 through June 30th, 2015 ("Renewal Term") and update applicable appendices;

NOW THEREFORE, the parties agree to the following:

- 1. Amend Appendix A Software and Deployment Schedule with the attached (below) 2012 Appendix A Software and Deployment Schedule, which shall supersede and apply during the Renewal Term.
2. Amend Appendix B ELA Fee Schedule with the attached (below) 2012 Appendix B ELA Fee Schedule, which shall supersede and apply during the Renewal Term.
3. Delete and replace Appendix D ELA Points of Contact with the attached (below) 2012 Appendix D ELA Points of Contact.
4. Delete and replace Appendix E Tier 1 Help Desk Authorized Individuals with the attached (below) 2012 Appendix E Tier 1 Help Desk Authorized Individuals.

Except as may be specifically modified by this Amendment No. 1, all other terms and conditions of the Agreement and any Amendment(s) or Addendum(s) constitute the entire agreement between the parties and supersede all prior and contemporaneous agreements or representations, written or oral, concerning the subject matter of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 1 as of the date of the last party to sign below.

ACCEPTED AND AGREED:

METRO
(Licensee)

By: _____

Printed Name: _____

Title: _____

Date: _____

ENVIRONMENTAL SYSTEMS
RESEARCH INSTITUTE, INC.
(Esri)

By: [Signature] _____

Printed Name: Chris Johnson

Title: Manager, Domestic Contracts

Date: DEC 06 2011

**2012 APPENDIX A
SOFTWARE AND DEPLOYMENT SCHEDULE**

County may Deploy the Enterprise License Software up to the total quantity of licenses indicated below to Licensees during the Renewal Term of this ELA.

**Table A-1
Enterprise License Software—Unlimited Quantities**

Item	Total Qty./Seats to Be Deployed
Desktop Software (Single Use or Concurrent Use)	
ArcView	<i>unlimited</i>
ArcEditor	<i>unlimited</i>
ArcInfo	<i>unlimited</i>
Desktop Extension Software (Single Use or Concurrent Use)	
3D Analyst	<i>unlimited</i>
Spatial Analyst	<i>unlimited</i>
Network Analyst	<i>unlimited</i>
Geostatistical Analyst	<i>unlimited</i>
ArcScan	<i>unlimited</i>
ArcGIS Publisher	<i>unlimited</i>
Maplex	<i>unlimited</i>
ArcGIS Schematics	<i>unlimited</i>
ArcGIS Workflow Manager	<i>unlimited</i>
Server Software	
ArcGIS Server Enterprise Basic/Standard/Advanced	<i>unlimited</i>
ArcGIS Server Workgroup Basic/Standard/Advanced	<i>unlimited</i>
Server Extensions	
3D Analyst	<i>unlimited</i>
ArcGIS Schematics	<i>unlimited</i>
Geostatistical	<i>unlimited</i>
Network Analyst	<i>unlimited</i>
Image	<i>unlimited</i>
Spatial Analyst	<i>unlimited</i>
Workflow Manager	<i>unlimited</i>
ArcGIS Engine Runtime	<i>unlimited</i>
ArcGIS Engine Runtime Extensions	
Spatial Analyst	<i>unlimited</i>
3D Analyst	<i>unlimited</i>
Network Analyst	<i>unlimited</i>
Geodatabase Update	<i>unlimited</i>

ArcGIS Schematics	<i>unlimited</i>
Maplex	<i>unlimited</i>
ArcIMS	<i>unlimited</i>
Esri Mapping and Charting	<i>unlimited</i>

**Table A-2
Enterprise License Software—Limited Quantities**

Item	Rolled-In Qty. (if applicable)	Qty./Seats to Be Deployed	Total
Esri Developer Network (EDN)	-	1	1
ArcPad	4	2	6
ArcGIS Data Interoperability desktop extension	1	2	3
ArcGIS Image Server	1	0	1
Business Analyst Desktop Premium Concurrent Use with single state dataset	1	0	1

**2012 APPENDIX B
ELA FEE SCHEDULE**

The ELA Fee is \$240,000. The ELA Fee is in consideration of the Enterprise License Software, ELA Maintenance and Esri International User Conference registrations.

	Year 1	Year 2	Year 3	ELA Fee
Payments	\$80,000	\$80,000	\$80,000	\$240,000

Number of Esri International User Conference Registrations per Year	5
Number of Esri Development Conference Registrations per Year	1
Number of Tier 1 Help Desk Individuals	5
Number of Sets of Backup Media, if Requested	2
Renewal Term of ELA	3 years from July 1st, 2012 through June 30th, 2015

**2012 APPENDIX D
ELA POINTS OF CONTACT**

Either party may change its point of contact by written notice to the other party.

1. Esri point of contact for order processing issues:

Name: Customer Service
Esri Redlands
380 New York Street
Redlands, CA 92373-8100
E-mail: service@esri.com
Phone: 888-377-4575
Fax: 909-307-3083

2. Esri contact for Tier 2 Support issues:

E-mail: support@esri.com
Phone: 909-793-3774 (domestic U.S. only)
Fax: 909-792-0960
Web: support@esri.com

3. Metro centralized point of contact for order release and administrative issues:

Name: Zac Christensen _____
E-mail: zac.christensen@oregonmetro.gov _____
Phone: 503-797-1591 _____
Fax: 503-797-1909 _____

4. All deliverables to Metro will be shipped to the address listed below:

Metro Office: Metro Data Resource Center _____
Name: Zac Christensen _____
Address: 600 NE Grand Avenue _____
Portland, OR 97232-2736 _____

5. All notices to Metro will be mailed to the address listed below:

Metro Office: Metro Data Resource Center _____
Name: Zac Christensen _____
Address: 600 NE Grand Avenue _____
Portland, OR 97232-2736 _____

2012 APPENDIX E
TIER 1 HELP DESK AUTHORIZED INDIVIDUALS

Below are named Tier 1 Help Desk individuals authorized to seek Tier 2 Support from Esri. Substitutes/Changes to Tier 1 Help Desk authorized individuals may be made by written notice to Esri.

- | | |
|--|--|
| 1. Name: Zac Christensen _____
Address: 600 NE Grand Avenue _____
Portland, OR 97232-2736 _____
Phone: 503-797-1591 _____
Fax: 503-797-1909 _____
E-mail: zac.christensen@oregonmetro.gov _____ | 4. Name: Mathew Hampton _____
Address: 600 NE Grand Avenue _____
Portland, OR 97232-2736 _____
Phone: 503-797-1748 _____
Fax: 503-797-1909 _____
E-mail: mathew.hampton@oregonmetro.gov _____ |
| 2. Name: Minott Kerr _____
Address: 600 NE Grand Avenue _____
Portland, OR 97232-2736 _____
Phone: 503-797-1679 _____
Fax: 503-797-1909 _____
E-mail: minott.kerr@oregonmetro.gov _____ | 5. Name: Richard Ames _____
Address: 600 NE Grand Avenue _____
Portland, OR 97232-2736 _____
Phone: 503-797-1841 _____
Fax: 503-797-1909 _____
E-mail: richard.ames@oregonmetro.gov _____ |
| 3. Name: Steve Erickson _____
Address: 600 NE Grand Avenue _____
Portland, OR 97232-2736 _____
Phone: 503-797-1595 _____
Fax: 503-797-1909 _____
E-mail: steve.erickson@oregonmetro.gov _____ | |