

ORDINANCE

2021-12-16-0963

RATIFYING AMENDMENT I AND APPROVING AMENDMENT II WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC., TO CONTINUE TO PROVIDE THE INFORMATION TECHNOLOGY SERVICES DEPARTMENT (ITSD) WITH GEOGRAPHIC INFORMATION SYSTEM SERVICES IN AN AMOUNT NOT TO EXCEED \$2,026,545.00. FUNDING IN THE AMOUNTS OF \$170,295.00 FOR AMENDMENT I AND \$506,250.00 FOR THE FY 2022 COST OF AMENDMENT II IS AVAILABLE FROM THE FY 2022 ITSD ADOPTED OPERATING BUDGET. AMENDMENT II EXTENDS THE CONTRACT, FOR THE PERIOD BEGINNING JANUARY 19, 2022 AND ENDING OCTOBER 18, 2024, FOR A TOTAL COST OF \$1,856,250.00. FUNDING FOR SUBSEQUENT YEARS IS CONTINGENT UPON CITY COUNCIL APPROVAL OF THE ANNUAL BUDGET.

* * * * *

WHEREAS, City Council approved a three-year agreement with the Environmental Systems Research Institute, Inc. (ESRI), on October 11, 2018, through Ordinance 2018-10-11-0804; and

WHEREAS, the contract with ESRI provides the Information Technology Services Department (ITSD) with geographic information system (GIS) software licenses, support, maintenance, and training to develop GIS applications to meet the City's growing demands for GIS services; and

WHEREAS, approval of this ordinance ratifies Amendment I which allows the City to continue obtaining GIS services for the three-month period ending January 18, 2022, for a total cost of \$170,295.00; and

WHEREAS, Amendment I became necessary to maintain continuity of services to allow ITSD to continue supporting the GIS business needs for all City departments, as well as Open Government initiatives; and

WHEREAS, approval of this ordinance also authorizes Amendment II to extend the contract for the period beginning January 19, 2022, through October 18, 2024, for a total cost of \$1,856,250.00; and

WHEREAS, the Texas Local Government Code indicates that competitive bidding is not required under section 252.022(a)(7)(A), which provides for any items that are available only from a sole source of supply; and

WHEREAS, all expenditures will be in accordance with the applicable fiscal year's budget approved by City Council; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Amendment I to the contract with the Environmental Systems Research Institute, Inc., extending the contract for the period beginning October 19, 2021, through January 18, 2022, for a total cost of \$170,295.00 is hereby ratified and is attached hereto and incorporated herein for all purposes as **Exhibit I**.

SECTION 2. Amendment II to the contract with the Environmental Systems Research Institute, Inc., extending the contract for the period beginning January 19, 2022, through October 18, 2024, for a total cost of \$1,856,250.00, is hereby approved and is attached hereto and incorporated herein for all purposes as **Exhibit II**. The City Manager, Director of Finance, Chief Information Officer, or their designee, is authorized to execute the amendment.

SECTION 3. Funding for this ordinance in the amount of \$676,545.00 is available in Fund 74001000, Cost Center 0903050001, and General Ledger 5201047 as part of the Fiscal Year 2022 Adopted Budget approved by City Council.

SECTION 4. Additional funding in the amount of \$1,350,000.00 for future years is contingent upon City Council approval of the Fiscal Year 2023 Budget and subsequent budgets that fall within the term of this contract.


SECTION 5. Payment is authorized to Environmental Systems Research Institute, Inc., and should be encumbered with a purchase order.

SECTION 6. The financial allocations in this ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this ordinance.

SECTION 7. This ordinance is effective immediately upon passage by eight or more affirmative votes; otherwise, it is effective on the tenth day after passage.

LC
12/16/21
Item No. 6


PASSED and APPROVED this 16th day of December, 2021.


M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:


Debbie Racca-Sittre, Acting City Clerk


Andrew Segovia, City Attorney

LC
12/16/21
Item No. 6



Exhibit I





City of San Antonio

City Council Meeting December 16, 2021

6.

2021-12-16-0963

Ordinance ratifying Amendment I and approving Amendment II with Environmental Systems Research Institute, Inc., to continue to provide the Information Technology Services Department with geographic information system services in an amount not to exceed \$2,026,545.00. Funding in the amounts of \$170,295.00 for Amendment I and \$506,250.00 for the FY 2022 cost of Amendment II is available from the FY 2022 ITSD Adopted Operating Budget. Amendment II extends the contract for the period beginning January 19, 2022, through October 18, 2024, for a total cost of \$1,856,250.00. Funding for subsequent years is contingent upon City Council approval of the annual budget. [Ben Gorzell Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Sandoval, Pelaez, Courage, Perry

Amendment No. 1

Agreement No. 00037026.0



This Amendment No. 1 is entered into by and between **City of San Antonio, TX** (hereinafter referred to as "**City**") and **Environmental Systems Research Institute, Inc.** (hereinafter referred to as "**Esri**").

WHEREAS, Esri and City entered into an Enterprise License Agreement (Esri Agreement No. 00037026.0, formerly no. 332614) with an effective date of October 19, 2018 and end date of October 18, 2021 (hereinafter "Agreement"); and

WHEREAS, the parties desire to amend the Agreement to extend the term for an additional three (3) months from October 19, 2021 through January 18, 2022, and update applicable language and appendices;

NOW THEREFORE, the parties agree to the following:

- 7.1 Term.** The term of the EA is hereby extended for an additional three (3) months commencing October 19, 2021 through January 18, 2022 ("Renewal Term") unless this EA is terminated earlier as provided in the Agreement. Upon full execution of this Amendment No. 1, City shall pay Esri an amount of **One Hundred Seventy Thousand & Two Hundred Ninety-Five Dollars (\$170,295 USD)** in consideration for the Renewal Term.
- Appendix A, Table A-2 EA Products – Capped Quantities** is hereby modified to include the additional quantities for the duration of the Renewal Term as follows:

Table A-2
EA Products – Capped Quantities

Item	Rolled-In Qty. (if applicable)	Qty. to Be Deployed	Total
Advantage Program Advisor Hours	-	20	20
ArcGIS Monitor 4-Core License	-	2	2
ArcGIS Aviation Airports (Concurrent Use License)	-	1	1
ArcGIS Image Analyst for use with ArcGIS Pro (Single Use License)	-	1	1
ArcGIS Locate XT Desktop (Concurrent Use License)	-	1	1
Drone2Map for ArcGIS Online (Term License)	-	1	1
ArcGIS Online Field Workers (Term License)	-	100	100
ArcGIS Online Viewers (Term License)	-	125	125

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:

CITY OF SAN ANTONIO, TX
(City)

By: R. Craig Hopkins Jr.
Authorized Signature

Printed Name: craig.hopkins@sanantonio.gov craig.hopkins@sanantonio.gov

Title: Chief Information Officer/ IT Director

Date: Oct 21, 2021

ENVIRONMENTAL SYSTEMS
RESEARCH INSTITUTE, INC.
(Esri)

By: T. Brazeal
Authorized Signature

Printed Name: Timothy Brazeal

Title: Manager, Commercial and Government Contracts

Date: Oct 20, 2021

Exhibit II

Amendment No. 2 Agreement No. 00037026.0



This Amendment No. 2 is entered into by and between **City of San Antonio, TX** (hereinafter referred to as "**City**") and **Environmental Systems Research Institute, Inc.** (hereinafter referred to as "**Esri**").

WHEREAS, Esri and City entered into an Enterprise License Agreement (Esri Agreement No. 00037026.0, formerly no. 332614) with an effective date of October 19, 2018 and end date of October 18, 2021 (hereinafter "**Agreement**"); and

WHEREAS, the parties agreed to extend the Agreement term for an additional three (3) months from October 19, 2021 through January 18, 2022;

WHEREAS, the parties now desire to amend the Agreement to extend the term for an additional thirty-three (33) months from January 19, 2022 through October 18, 2024 and update applicable language and appendices;

NOW THEREFORE, the parties agree to the following:

1. **7.1 Term.** Add the following to the end of the paragraph:

"The term of the EA is hereby extended for an additional thirty-three (33) months commencing from January 19, 2022 through October 18, 2024 unless this EA is terminated earlier as provided in the Agreement."

2. Delete and replace Appendix A Products and Deployment Schedule with the attached Appendix A Products and Deployment Schedule.

3. Delete and replace Appendix B EA Fee Schedule with the attached Appendix B EA Fee Schedule.

4. Delete and replace Appendix D EA Points of Contact with the attached Appendix D EA Points of Contact.

Except as may be specifically modified by this Amendment No. 2, 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. 2 as of the date of the last party to sign below.

ACCEPTED AND AGREED:

CITY OF SAN ANTONIO, TX
(City)

By: _____
Authorized Signature

Printed Name: _____

Title: _____

Date: _____

ENVIRONMENTAL SYSTEMS
RESEARCH INSTITUTE, INC.
(Esri)

By:  _____
Authorized Signature

Printed Name: Timothy Brazeal

Title: Manager, Commercial and Government Contracts

Date: Nov 30, 2021

**APPENDIX A
PRODUCTS AND DEPLOYMENT SCHEDULE**

City may Deploy the EA Products up to the total quantity of licenses indicated below to Customers during the term of this EA.

**Table A-1
EA Products—Uncapped Quantities**

Product	Total Qty. to Be Deployed
ArcGIS Desktop: Advanced, Standard, Basic (Single and Concurrent Use)	Uncapped
ArcGIS Desktop Extensions: ArcGIS 3D Analyst, ArcGIS Data Reviewer, ArcGIS Geostatistical Analyst, ArcGIS Network Analyst, ArcGIS Publisher, ArcGIS Schematics, ArcGIS Spatial Analyst, ArcGIS Tracking Analyst, and ArcGIS Workflow Manager (Single and Concurrent Use)	Uncapped
ArcGIS Enterprise: Enterprise and Workgroup (Advanced and Standard)	Uncapped
ArcGIS Enterprise Extensions: ArcGIS 3D Analyst, ArcGIS Geostatistical Analyst, ArcGIS Network Analyst, ArcGIS Schematics, ArcGIS Spatial Analyst, and ArcGIS Workflow Manager	Uncapped
ArcGIS GIS Server: Advanced, Standard, Basic	Uncapped
ArcGIS Enterprise Additional Capability Servers: ArcGIS Image Server, ArcGIS GeoEvent Server	Uncapped
ArcGIS Monitor	Uncapped
Mapping and Charting Solutions: Esri Production Mapping for Desktop, ArcGIS Aviation Airports (Single and Concurrent Use)	Uncapped
Esri CityEngine (Single Use)	Uncapped
ArcGIS Engine	Uncapped
ArcGIS Engine Extensions: ArcGIS 3D Analyst, ArcGIS Geodatabase Update, ArcGIS Network Analyst, ArcGIS Schematics, and ArcGIS Spatial Analyst	Uncapped
ArcGIS Runtime: (Standard and Advanced)	Uncapped
ArcGIS Runtime Analysis Extension	Uncapped

**Table A-2
EA Products—Capped Quantities**

Item	Rolled-In Qty. (if applicable)	Qty. to Be Deployed	Total
ArcGIS Image Analyst (for use with ArcGIS Pro) Desktop Single Use	-	1	1
ArcGIS Locate XT Desktop Concurrent Use	-	1	1
ArcGIS Data Interoperability Desktop Extension Concurrent Use	5	-	5
ArcGIS Business Analyst Desktop U.S. Data Bundle National Dataset License	1	-	1
ArcGIS Data Interoperability Enterprise Extension Perpetual License	1	-	1
ArcGIS Business Analyst Web App Online (Term License)	-	50	50
ArcGIS Insights in ArcGIS Online (Term License)	-	10	10
ArcGIS Navigator for ArcGIS Online (Term License)	-	50	50
Drone2Map for ArcGIS Online (Term License)	-	1	1
ArcGIS Urban Suite (Term License)	-	1	1
Drone2Map for ArcGIS Enterprise (Term License)	-	1	1
ArcGIS Developer Annual Subscription - Professional	-	2	2
ArcGIS Developer Annual Subscription – Enterprise	-	1	1
ArcGIS Hub Premium ArcGIS Online Community (Term License)	-	1	1
ArcGIS Hub Premium Additional Identities Block (1 Block has 1,000 Term Licenses)	-	1	1

Product	Number of Subscriptions	Total Named Users	Total Annual Credits
*ArcGIS Online User Types (Term License)	3	Viewer: 500 Field Worker: 500 Creator: 500	250,000
*ArcGIS Enterprise User Types (Term License)	-	Editor: 150 Field Worker: 300 Creator: 500	-

*The value of this Agreement is based on an estimated maximum use of 300 ArcGIS Online Viewers, 250 Field Workers and 150 Creators; and 100 ArcGIS Enterprise Editors, 200 Field Workers, and 175 Creator User Types. The City of San Antonio may deploy additional User Types with any number above the estimated Users to be considered at renewal.

**APPENDIX B
EA FEE SCHEDULE**

The EA Fee is \$1,856,250. The EA Fee is in consideration of the EA Products, EA Maintenance, Esri User Conference registrations, and Advantage Program.

	*Year 1 January 19, 2022 through October 18, 2022	Year 2 October 19, 2022 through October 18, 2023	Year 3 October 19, 2023 through October 18, 2024	EA Fee
Payments	\$506,250	\$675,000	\$675,000	\$1,856,250

*Note: Year 1 shown pro-rated to 9-month (previous amendment extended 90-days).

Number of Esri User Conference Registrations per Year	20
Number of Tier 1 Help Desk Callers That May Contact Esri for Tier 2 Support	7
Number of Sets of Backup Media, if Requested	2
Advantage Program (AP)	100 Advisor Hours per Year Learning and Services Credits Year 1: 0 Year 2: 50 Year 3: 50
Term of EA	Thirty-Three (33) Months from January 19, 2022 through October 18, 2024

**APPENDIX D
EA 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
380 New York Street
Redlands, CA 92373-8100
Email: service@esri.com
Phone: 888-377-4575
Fax: 909-307-3083

2. Esri contact for Tier 2 Support issues:

MyEsri: <http://my.esri.com>
Phone: 909-793-3774 (within the United States only)
Fax: 909-792-0960
Web: <http://support.esri.com>

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

Name: Kevin Goodwin
Email: Kevin.Goodwin@sanantonio.gov
Phone: 210-207-5840
Fax: _____

4. All invoices to City will be mailed to the address listed below (unless otherwise stated on the purchase order):

City Office: City of San Antonio
Name: Craig Hopkins
Address: 111 SOLEDAD ST FL 9
SAN ANTONIO, TX, 78205-223

5. All deliverables to City will be shipped to the address listed below:

City Office: City of San Antonio
Name: Kevin Holmes
Address: 111 SOLEDAD ST FL 9
SAN ANTONIO, TX, 78205-223

6. All notices to City will be mailed to the address listed below:

City Office: City of San Antonio
Name: Kevin Holmes
Address: 111 SOLEDAD ST FL 9
SAN ANTONIO, TX, 78205-223