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**Date** April 11, 2016

WHEREAS, the IT Department requested the Finance Department Procurement Division to order annual maintenance and support services for Varonis file system auditing and data protection software; and

WHEREAS, the Procurement Administrator has determined that such annual software maintenance and support services is available from EmbarkIT, 1854 Fuller Road, West Des Moines, IA 50265, Annita Messerschmidt, Owner, and the manufacturer's designated local support provider; and

WHEREAS, Municipal Code section 2-726 (a)(7) provides for a non-competitive procurement of goods and/or services that are of such a nature that they are the only goods and/or services which will fit and comply with the required use, or are an integral part of a total system so as to be uniquely compatible with existing city need, materials or equipment to be cost effective.

WHEREAS, funding is available from IT150000/Infrastructure Management;

NOW THEREFORE BE IT RESOLVED, that the Des Moines City Council hereby accepts and approves the non-competitive purchase of annual maintenance and support services for Varonis software from EmbarkIT at a total three year cost of \$84,357.00; and

BE IT FURTHER RESOLVED, that the Information Technology Director is authorized to approve and execute software maintenance and support agreements for Varonis from EmbarkIT, subject to approval as to form by the Legal Department, for a three year period, and as long as it is budgeted for and used as the City's file system auditing and data protection software.

**(Council Communication No. 16-166)**

Moved by \_\_\_\_\_ to adopt

Approved as to Form:

Ann DiDonato  
Ann DiDonato  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
TOTAL				

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

\_\_\_\_\_  
Mayor

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