

★ Roll Call Number  
18-1089

Agenda Item Number  
39

Date June 25, 2018

**APPROVING PURCHASE OF SELECT SUBSCRIBER PROGRAM AGREEMENT WITH BENTLEY SYSTEMS INCORPORATED, FOR SOFTWARE LICENSE AND SOFTWARE SUPPORT SERVICES**

WHEREAS, the Information Technology Department and the Engineering Department desire to continue to use the Bentley MicroStation Software which requires entering into a new License with Bentley Systems, Incorporated, Antonio Ierardo, Vice President, 685 Stockton Drive, Exton, Pennsylvania, 19341, for thirty four (34) computers city-wide that have Bentley MicroStation Software installations; and

WHEREAS, Bentley Systems, Incorporated (Bentley) is the sole area-wide provider of this software and support services, and has licensed and provided support per existing licensing agreement, where said existing licensing expires June 18, 2018; and

WHEREAS, the Information Technology Department and Engineering Department staff recommend approval of the Select Subscriber Program Agreement to provide for licensing and support services for a one (1) year period of June 19, 2018 thru June 18, 2019, at a cost of \$64,668.40; and

WHEREAS, Municipal Code section 2-726(d) provides for a non-competitive procurement of goods and/or service that are of such a nature that they are the only good 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; and

WHEREAS, funding has been programmed in the Operating Budgets of the respective Departments that have Bentley MicroStation Software installations.

NOW THEREFORE BE IT RESOLVED, that the Des Moines City Council hereby approves the purchase of software licensing and the software support services for a one (1) year duration at a cost of \$64,668.40 and approves and accepts the Select Subscriber Program Agreement and Amendment No. 1 between the City of Des Moines and Bentley Systems on behalf of the City, a copy of which is on file in the office of the City Clerk, and authorizes and directs the Mayor to execute said Agreement and Amendment and the City Clerk is directed to attest to his signature.

BE IT FURTHER RESOLVED that the City Engineer is authorized and directed to procure Bentley Systems Inc. annual Software license, maintenance, upgrade and support for future fiscal years as long as such procurement is budgeted for and such software is used as the City's tool for CADD and Civil Engineering design.

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BE IT FURTHER RESOLVED: That the City Engineer is hereby authorized and directed to execute any additional implementing agreements for such software on behalf of the City of Des Moines, Iowa, subject to approval as to form by the Legal Department.

(Council Letter Number 18-324 attached)

Moved by Coleman to adopt.

FORM APPROVED: Ann DiDonato  
Ann DiDonato  
Assistant City Attorney

Funding Source: Operating Budgets of respective Departments, Object 525195

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED			APPROVED	

T. M. Franklin Mayor

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.

Diane Rauh City Clerk