

THE TOWN OF FOREST HEIGHTS
RESOLUTION 39-14

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS TO AUTHORIZE ENTRY INTO AN AGREEMENT WITH ATHERAS, LLC, TO PROVIDE INFORMATION TECHNOLOGY ACTIVITIES, CLOUD MIGRATION AND DATA CONVERSION SERVICES

Introduced By: Mayor Jacqueline Goodall

WHEREAS, the Town Charter, § 33-63(g) authorizes the Mayor and Council by a two-thirds vote to waive the competitive bidding requirements of said Charter section for good cause shown for sole source procurements of unique products and services, and that written findings as to the basis of such waiver shall be placed in the journal of the Council's proceedings; and

WHEREAS, the Town Ordinance Code, § 20.4(a)(6) states that upon written findings entered into the journal, the Mayor and Council may exempt the purchase of a good or service from competitive selection processes when the purchase qualifies as a sole source procurement as a result of several circumstances including: One vendor is the only one qualified or eligible or is quite obviously the most qualified or eligible to provide the good or service or the procurement is of such a specialized nature or related to a specific geographic location that only a single source, by virtue of experience, expertise, proximity, or ownership of intellectual property rights, could most satisfactorily provide the good or service, and

WHEREAS, the Council finds that it is prudent and necessary to procure and retain certain services and materials in order to implement a "Forest Heights Cloud Migration and Data Conservation Project;" and

WHEREAS, the Mayor and Council further finds that Atheras, LLC is a Delaware company in good standing in this State and, and that only said vendor is fully qualified in the area and ready to deploy, and the procurement is of a substantially specialized nature; and

WHEREAS, the funds are available under Line Item 7045 and it has been determined by Council that the company, Atheras, LLC, of Rockville, MD, is found to be a substantially unique provider of this merchandise or service, and the procurement is for items of a specialized nature in accordance with Section 20.4(a)(6) of the Ordinance Code for the Town of Forest Heights; and

WHEREAS, the Mayor and Council intends to enter into an agreement with the Atheras, LLC, to provide cloud migration, data conversation and information technology services to the Town Government in multiple phases and areas; and

WHEREAS, the total cost of this the multi-phase project including optional tasks will be \$64,733.16, which is described in "Statement of Work for Town of Forest Heights – Office of the Mayor – Maryland" and "Cost Proposal" (6 pp. total) prepared by Atheras, LLC represented by Mr. Nicholas T. Jordan on or about June 27, 2014; and

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NOW THEREFORE BE IT RESOLVED, that except as otherwise stated or modified herein below, the Town Council hereby approves said proposal (the “Statement of Work for Town of Forest Heights – Office of the Mayor – Maryland” and “Cost Proposal), and further grants the Mayor with authority to sign the attached Atheras, LLC proposal, attached hereto and incorporated by reference herein as Exhibit 1; and

BE IT FURTHER RESOLVED, that the Council elects to approve all; or, parts of or certain phases of said Statement of Work and Proposal as follows:

Approved [Ln#] (Y/N)	Description	CLI AREA	Subtotal
1.)	Management Support, Enterprise Architecture Spt., & Configuration Mgt. (MS Task Areas 1 &2)	01	\$ 4,293.00
2.)	Cloud Services, Migration, Hosting	02	<u>\$ 8,186.94</u>
3.)	<ul style="list-style-type: none"> • <u>Phase 1</u> (Subtotal does not include mo. Cost) 		\$12,479.94
4.)	<i>Microsoft 365 Env. Setup and Recurring (Mo.) Cost</i>	02D	<i>\$15,773.94</i>
5.)	<i>Optional Task: Voice Over IP Ops Spt. – Phase 2</i>	04	<i>\$ 7,563.70</i>
6.)	<ul style="list-style-type: none"> • <u>Phase 2</u> (Subtotal) 		\$ 7,563.70
7/)	MS SharePoint Services (Area 1)	05	\$ 2,688.55
8.)	Workflow System Design (Area 2)	05	\$ 3,218.55
9.)	-Subtotal		\$ 5,907.09
10.)	Data Conversion Services, Data Scanning	06	\$38,782.44
11.)	Total w/o Optional Tasks		\$62,411.64
12.)	<i>Optional Task – Voice over IP Operations Support</i>	03	<i>\$ 2,321.52</i>
13.)	Grand Total (incl. last opt. task (Voiceover IP) but not MS 365 mo. cost in line 4, above)		\$64,733.16

BE IT FURTHER RESOLVED, that prior to signing said contract/proposal the vendor shall provide proof of adequate automotive and liability insurance acceptable to the Town and further agree to sign a liability waiver and hold harmless agreement with the Town; and

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BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage.

PASSED this 30th day of June 2014.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

<u>ROLL CALL VOTE</u>	<u>YEA/NAY/ABSTAIN/ABSENT</u>
GOODALL	<u>YEA</u>
KENNEDY II	<u>ABSENT</u>
STONER	<u>YEA</u>
BARNES	<u>YEA</u>
MUHAMMAD	<u>ABSTAIN</u>
SMITH-BARNES	<u>YEA</u>
MANN	<u>YEA</u>

ATTEST:

THE MAYOR AND COUNCIL OF THE
TOWN OF FOREST HEIGHTS, MARYLAND

Signature on file

Bonita C. Anderson, Town Clerk

Signature on file

By: _____
Jacqueline Goodall, Mayor

Signature on file

By: _____
Cynthia Mann, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 30th day of June 2014 with 5 Aye votes and 0 Nay votes the aforesaid Resolution 39-14 passed.

Signature on file

Bonita Anderson, Town Clerk

[Exhibit 1 - Atheras, LLC - (“Statement of Work for Town of Forest Heights – Office of the Mayor – Maryland” and “Cost Proposal”)]