

CITY OF MIAMI, FLORIDA  
**INTER-OFFICE MEMORANDUM**

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**TO :** Jose M. Fernandez, Director  
Department of Finance

**DATE :** October 2, 2013

**FILE :**

**SUBJECT :** Point of Sale Cashiering System  
Sole Source No. 12-13-013  
RESO-05-047 & RESO-13-0029

**FROM :** Kenneth Robertson, Director  
Department of Purchasing

**REFERENCES :**

Amendment No. 4

**ENCLOSURES:**

Enclosed please find Amendment No. 4 to the Professional Services Agreement (PSA) between the City of Miami and Wonderware, Inc., d/b/a Core Business Technologies.

This amendment, entered into April 11, 2013, but **Effective** as of December 1, 2012, amends the TERM of the Professional Service Agreement (PSA) to allow for additional one (1) year renewals under the same terms and conditions unless either party provides written notice of non-renewal at least sixty (60) calendar days prior to the expiration of the current term. Additionally, the COMPENSATION payable under the agreement has been changed as indicated in the Amendment.

Furthermore, effective December 1, 2012, Point of Sale Cashiering System contract number has changed from Clark County Washington RFP 365 (12) to City of Miami, Sole Source 12-13-013, and Resolution Nos. R05-045, R13-0029.

Lastly, the Contract Administrator has been changed to Mr. Jose Fernandez, Finance Director and the Buyer has been changed to Mr. Yusbel Gonzalez.

Using Department(s) is urged to carefully review these contracts in detail to become familiar with its prices, terms, and conditions, and items awarded. If your department is unable to locate a particular item on the contract, please contact the appropriate Buyer for assistance. No other goods or services can be purchased under this agreement except those specified in the contract. **When requesting this commodity or service, the Sole Source No. and Resolution No. should be cited in the requisition.**

Should your department encounter any problems with the contractor, please document the problem and immediately advise Yusbel Gonzalez CPPB, Sr. Procurement Specialist at (305) 416-1904 for assistance.

c: Bid File

# City of Miami

## CONTRACT AWARD

### Procurement Department

#### AMENDMENT NO. 4

SOLE SOURCE NO.	12-13-013
DESCRIPTION:	POINT OF SALE CASHIERING SYSTEM HARDWARE, SOFTWARE, INTEGRATION SERVICE, LIMITED EXPANSION AND MAINTENANCE SERVICE
TERM OF CONTRACT:	FIVE YEARS WITH AUTOMATIC ANNUAL RENEWAL OPTIONS
CONTRACT PERIOD:	DECEMBER 1, 2007 THROUGH NOVEMBER 30, 2013
COMMODITY CODE:	20810-00

#### SECTION #1 – VENDOR AWARD

Wonderware, Inc. d/b/a  
CORE Business Technologies  
2224 Pawtucket Avenue  
East Providence, RI 02914  
Contact: Mr. Pierre Dupuis  
**Manager, Sales & Strategic Alliances**  
Phone: (401) 431-0700- Ext. 1451  
Fax: (401) 434-2227  
Email: [pdupuis@corebt.com](mailto:pdupuis@corebt.com)

#### Account Executive

Contact: Ms. Shae McWilliams, MBA  
Phone: (401) 431-0700-Ext. 1448  
Email: [smcwilliams@corebt.com](mailto:smcwilliams@corebt.com)

#### SECTION #2 – AWARD/BACKGROUND INFORMATION/APPLICABLE ORDINANCES/NOTES

CC AWARD DATE:	JULY 28, 2005	AMENDED AMOUNT:	N/A
RESOLUTION NO:	R-05-0457, R13-0029	INSURANCE REQUIREMENTS:	YES
TOTAL CONTRACT AMOUNT:	N/A	PERFORMANCE BOND:	N/A
		APPLICABLE ORDINANCES:	N/A

**Note:** Funds allocated from the various sources of funds from the user departments and agencies, subject to the availability of funds and budgetary approval at the time of need.

**Note:** Enclosed please find Amendment No. 4 to the Professional Services Agreement (PSA) between the City of Miami and Wonderware, Inc., d/b/a Core Business Technologies. This amendment, entered into April 11, 2013, but Effective as of December 1, 2012, amends the TERM of the Professional Service Agreement (PSA) to allow for additional one (1) year renewals under the same terms and conditions unless either party provides written notice of non-renewal at least sixty (60) calendar days prior to the expiration of the current term. Additionally, the COMPENSATION payable under the agreement has been changed as indicated in the Amendment. Furthermore, effective December 1, 2012, Point of Sale Cashiering System contract number has changed from Clark County Washington RFP 365 (12) to City of Miami, Sole Source 12-13-013, and Resolution Nos. R05-045, R13-0029. Lastly, the Contract Administrator has been changed to Mr. Jose Fernandez, Finance Director and the Buyer has been changed to Mr. Yusbel Gonzalez.

**SECTION #3 - REQUESTING DEPARTMENT**

CITY DEPARTMENTS: Department of Finance  
Contract Administrator: Jose Fernandez  
Phone: (305)416-1324  
Fax: (305)400-5254

**SECTION #4 - PROCURING AGENCY**

CITY OF MIAMI, DEPARTMENT OF PURCHASING  
**Sr. Buyer:** Yusbel Gonzalez  
**Phone:** (305).416-1958  
**Fax:** (305) 400-5104

**Prepared By:** Deborah Buchanan, 10/2/13

A CONTRACT AWARD SHEET INSTRUCTIONAL GUIDE TO ASSIST YOU WITH THE INFORMATION  
CONTAINED HEREIN IS AVAILABLE IN THE ISUPPLIER INFORMATION SECTION OF OUR WEBPAGE AT: [WWW.MIAMIGOV.COM/PROCUREMENT](http://WWW.MIAMIGOV.COM/PROCUREMENT)

AMENDMENT # 4

TO THE

PROFESSIONAL SERVICES AGREEMENT

POINT OF SALES APPLICATION

This Amendment # 4 to the Professional Services Agreement dated August 4<sup>th</sup> 2005 (The "Agreement"), by and between the City of Miami, a Municipal Corporation of the State of Florida, (the "CITY") and Wonderware, Inc., a corporation organized and existing under the laws of the State of Rhode Island, authorized to transact business in Florida d/b/a CORE Business Technologies ("Provider"), is entered into this 11 day of April, ~~2012~~, but effective as of December 1, 2012. The Agreement is hereby amended as follows: 2013 CjMB

TERMS

1. Section 2.B. TERM of the Agreement is hereby revised by adding the following language:

At the end of the Maintenance Period, herein defined as December 1, 2007 through November 30, 2012, the term of the Agreement shall be extended for additional one (1) year periods under the same terms and conditions, unless either party provides written notice of its intent not to renew the Agreement at least sixty (60) calendar days prior to the expiration of each additional one-year term.

2. COMPENSATION payable under the Agreement, as amended via Amendment # 3 dated June 3, 2010, is hereby revised as follows:

The amount of compensation payable by the City to Provider shall be ~~increased in an amount not to exceed \$2,400 from \$239,000 to \$241,000 for modifications, enhancements or updates to the Point of Sales Cashiering System.~~ as follows:

One-Step Licenses, including Software Support:

\$750.00 per License x 10 licenses = \$7,500.00 per Year

Annual Managed Service Credit Card Gateway Fee (Up to 15,000 Annual Transactions):

\$5,326.67 (16 months prorated) covering a service period of August 1, 2012 to November 30, 2013, of which \$3,995.00 has already been paid for, with a remaining balance of \$1,331.67 to be billed by the Provider in May of 2013.

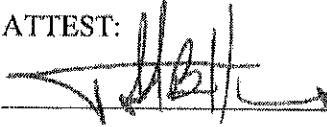
\$3,995.00 (for 12 months) will be the annual payment, which shall be billed by the Provider in October of each year.

Additional Managed Service Credit Card Gateway transaction blocks (if needed):

- Additional 10,000 transaction block - \$2,000.00
- Additional 25,000 transaction block - \$3,750.00
- Additional 50,000 transaction block - \$5,000.00
- Additional 100,000 transaction block - \$7,500.00

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by their respective officials thereunto duly authorized, this the day and year above written.

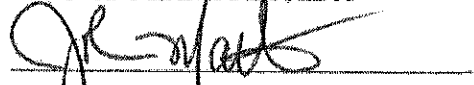
ATTEST:

 4/11/13

Todd Hannon  
City Clerk

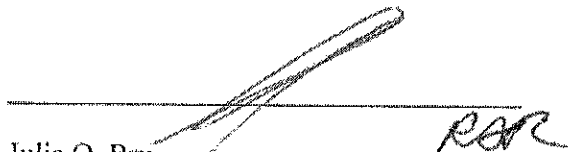
"City"

CITY OF MIAMI FLORIDA

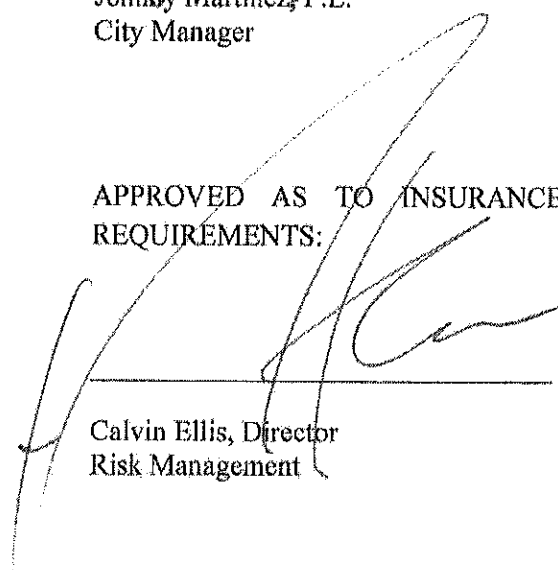


Johnny Martinez, P.E.  
City Manager

APPROVED AS TO FORM AND CORRECTNESS:

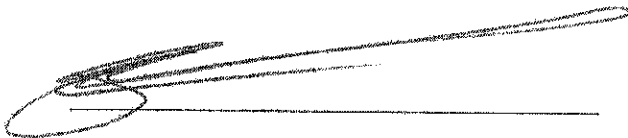
  
Julie O. Bru  
City Attorney

APPROVED AS TO INSURANCE  
REQUIREMENTS:

  
Calvin Ellis, Director  
Risk Management

"Provider"

ATTEST:

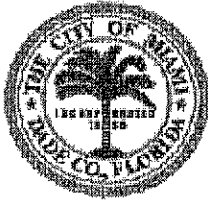


Print Name: Peter A. Whealton  
Title: Corporate Secretary

Wonderware, Inc., d/b/a CORE  
Business Technologies



Print Name: Mark S. Cohen  
Title: President



# City of Miami

City Hall  
3500 Pan American Drive  
Miami, FL 33133  
www.miamigov.com

## Text File Report

**File ID:** 12-01208

**Type:** Resolution

**Status:** Passed

**Enactment #:** R-13-0029

**Enactment Date:** 1/24/13

**Version:** 1

**Introduced:** 10/17/12

**Controlling Body:** Office of the City Clerk

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, PURSUANT TO SECTION 18-92 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, APPROVING AND CONFIRMING THE CITY MANAGER'S FINDING OF A SOLE SOURCE; WAIVING THE REQUIREMENTS FOR COMPETITIVE SEALED BIDDING PROCEDURES AND APPROVING THE PURCHASE OF PROPRIETARY SOFTWARE LICENSES, MAINTENANCE, AND TECHNICAL SUPPORT AS WELL AS A MANAGED SERVICES GATEWAY FOR CREDIT CARD PROCESSING, FROM WONDERWARE, INC., D/B/A CORE BUSINESS TECHNOLOGIES ("PROVIDER"), FOR THE CITY OF MIAMI'S POINT OF SALE CASHIERING SYSTEM; ALLOCATING FUNDS FROM THE DEPARTMENT OF INFORMATION TECHNOLOGY ACCOUNT NO. 00001.251000.546000.0.0 AND THE DEPARTMENT OF FINANCE ACCOUNT NO. 00001.162000.534000.0.0, SUBJECT TO THE AVAILABILITY OF FUNDS AND BUDGETARY APPROVAL AT THE TIME OF NEED; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT EFFECTIVE DECEMBER 1, 2012, IN SUBSTANTIALLY THE ATTACHED FORM, TO THE PROFESSIONAL SERVICES AGREEMENT WITH THE PROVIDER.

WHEREAS, Resolution No. 05-0457, adopted July 28, 2005, authorized the acquisition of a Point of Sales Cashiering System ("System"), which included hardware, software, integration services, limited expansion, and maintenance services, from Wonderware, Inc., d/b/a CORE Business Technologies ("Provider"), utilizing the then existing Clark County, Washington Request for Proposals No. 365, in an amount not to exceed \$150,000; and

WHEREAS, said resolution authorized the City Manager to execute a Professional Services Agreement ("PSA") with the Provider for a term of five (5) years; and

WHEREAS, the term of five (5) years was set to expire on November 30, 2012; and

WHEREAS, the City of Miami ("City") is still utilizing the System purchased from the Provider and needs to continue paying annually for proprietary software licenses, maintenance and technical support as well as a managed services gateway for credit card processing; and

WHEREAS, the System is proprietary to the Provider and the Provider is the sole provider of the software licenses, maintenance, technical support, and managed services gateway for credit card processing; and

Section 2. By a four-fifths (4/5ths) affirmative vote, pursuant to Section 18-92 of the City Code, after an advertised public hearing, the City Manager's finding of a sole source, is ratified, approved and confirmed, the requirements for competitive sealed bidding procedures are waived, and the purchase of proprietary software licenses, maintenance, and technical support as well as a managed services gateway for credit card processing, from the Provider, is approved, with funds allocated from the Department of Information Technology Account No. 00001.251000.546000.0.0 and the Department of Finance Account No. 00001.162000.534000.0.0, subject to the availability of funds and budgetary approval at the time of need.

Section 3. The City Manager is authorized {1} to execute an amendment effective December 1, 2012, in substantially the attached form, to the PSA with the Provider.

Section 4. This Resolution shall become effective immediately upon its adoption and the signature of the Mayor. {2}