

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

RESOLUTION NO. RES-15-0087

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AUTHORIZING THE CITY MANAGER TO EXECUTE A MASTER SERVICE AGREEMENT WITH OPEN COUNTER ENTERPRISES, INC., WITHOUT ADVERTISING FOR BIDS, FOR SOFTWARE SUBSCRIPTION LICENSING AND IMPLEMENTATION SERVICES IN AN AMOUNT NOT TO EXCEED \$70,500 FOR THE FIRST YEAR, AND THEREAFTER IN AN ANNUAL AMOUNT NOT TO EXCEED \$40,500 FOR SUBSCRIPTION FEE FOR YEAR TWO, WITH THE OPTION OF RENEWING FOR TWO ADDITIONAL ONE-YEAR PERIODS, AT THE DISCRETION OF THE CITY MANAGER

WHEREAS, the City requires software subscription licensing and implementation services; and

WHEREAS, OPEN COUNTER ENTERPRISES, INC. is the only vendor that provides a hosted public facing, web application for business licensing and permitting purposes intended to foster economic development and job creation in the City; and

WHEREAS, as a result, no useful purpose would be served by advertising for bids for furnishing and delivering this type of parts and services and to do so would constitute an idle and useless act and an unnecessary expenditure of public funds because OPEN COUNTER ENTERPRISES, INC. is the only corporation, firm or individual that could or would bid for the furnishing of software subscription licensing and implementation services to the City;

NOW, THEREFORE, the City Council of the City of Long Beach resolves as

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1 follows:

2 Section 1. The City Manager is hereby authorized to enter A MASTER  
3 SERVICE AGREEMENT, without advertising for bids, with OPEN COUNTER  
4 ENTERPRISES, INC., for the purchase of software subscription licensing and  
5 implementation services of a hosted public facing, web application for business licensing  
6 and permitting purposes, as may be required by the City in an amount not to exceed  
7 \$70,500 for the first year, and thereafter in an annual amount not to exceed \$40,500 for  
8 subscription fee for year two, with the option of renewing for two additional one-year  
9 periods, at the discretion of the City Manager. If the sole source status of OPEN  
10 COUNTER ENTERPRISES, INC. changes, the City shall publicly bid instead of  
11 extending the contract.

12 Section 2. This resolution shall take effect immediately upon its adoption  
13 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

14 I hereby certify that the foregoing resolution was adopted by the City  
15 Council of the City of Long Beach at its meeting of July 14, 2015 by the  
16 following vote:

17  
18 Ayes: Councilmembers: Gonzalez, Lowenthal, Supernaw, Mungo,  
19 Andrews, Uranga, Austin, Richardson.

20  
21  
22 Noes: Councilmembers: None.

23  
24 Absent: Councilmembers: Price.

25  
26  
27 Posnam Davis  
28 City Clerk