



May 24, 2016

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a Resolution authorizing the City Manager to execute Service Agreements with Episerver, Inc., of Nashua, NH, without advertising for bids, for website migration and implementation services, in an amount not to exceed \$99,200. (Citywide)

DISCUSSION

City Council approval is requested to enter into Service Agreements with Episerver, Inc. (Episerver), to migrate the current City's website, longbeach.gov, to the Episerver platform.

In January 2015, the current provider of the City's content management system (CMS), Ektron, was merged with a company called Episerver. The new parent company, Episerver, is no longer providing new features or functionality for the Ektron platform. In order to receive new features and enhancements to the software platform, the City needs to migrate the longbeach.gov website to the new Episerver platform. General support for the Ektron platform is still provided; however, transitioning the site to the new platform will allow the site to add new features and functionality as soon as they are released. Episerver provides professional services exclusively for migration of sites currently on Ektron to Episerver.

The proposed contract will ensure continuity in support services, as well as provide the City with any upgrades, modifications and enhancements to Ektron/Episerver products and services. A competitive procurement is not feasible because Episerver's product builds on its predecessor's, Ektron. A survey of similar services revealed that Episerver's pricing is reasonable.

City Charter Section 1801 requires that contracts for City purchases be awarded to the lowest responsible bidder after a competitive bid process, but allows for awards without a competitive bid process if accompanied by a Resolution adopted by the City Council.

This matter was reviewed by Deputy City Attorney Amy R. Webber on May 2, 2016 and by Budget Management Officer Victoria Bell on May 4, 2016.

TIMING CONSIDERATIONS

City Council action is requested on May 24, 2016, to ensure that the contract is in place expeditiously. Migration and implementation services should be relatively short; a duration of five to six months is anticipated. The vendor is prepared to begin work immediately.

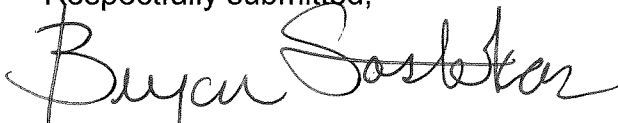
FISCAL IMPACT

Contract costs will not exceed \$99,200. Sufficient funding is budgeted in the General Services Fund (IS 385) in the Technology and Innovation Department (TI). Costs are recovered from user departments and are budgeted through the annual Technology and Innovation Department MOU. There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



BRYAN M. SASTOKAS
DIRECTOR OF TECHNOLOGY AND INNOVATION

APPROVED:



PATRICK H. WEST
CITY MANAGER

1 RESOLUTION NO.

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH AUTHORIZING THE CITY
5 MANAGER TO EXECUTE SERVICE AGREEMENTS WITH
6 EPISERVER INC., WITHOUT ADVERTISING FOR BIDS,
7 FOR MIGRATION AND IMPLEMENTATION SERVICES,
8 FOR A TOTAL NOT TO EXCEED AMOUNT OF \$99,200
9

10 WHEREAS, the Charter of the City of Long Beach, Section 1801, permits
11 the City Manager to enter into a contract on behalf of the City, in writing or otherwise,
12 without advertising for bids, for services, supplies, materials, equipment or labor for
13 actual emergency work when authorized by resolution; and

14 WHEREAS, the current provider for the City of Long Beach's ("City")
15 content management service, Ektron, merged with a company called Episerver Inc.
16 ("Episerver"); and

17 WHEREAS, Episerver will no longer be providing new features of
18 functionality for the Ektron platform; and

19 WHEREAS, users will need to move to Episerver to receive new features
20 and enhancements; and

21 WHEREAS, the proposed service agreements with Episerver will ensure
22 continuity in support services, as well as any upgrades, modifications and enhancements
23 to Ektron/Episerver products and services; and

24 WHEREAS, no useful purpose would be served by advertising for bids and
25 to do so would constitute an idle and useless act and an unnecessary expenditure of
26 public funds because Episerver is the only corporation, firm or individual that could or
27 would bid for migration and implementation services;

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

1 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
2 follows:

3 Section 1. The City Manager is hereby authorized to enter service
4 agreements with Episerver Inc. without advertising for bids for migration and
5 implementation services, for a total not to exceed amount of Ninety-Nine Thousand Two
6 Hundred Dollars (\$99,200).

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

9 I hereby certify that the foregoing resolution was adopted by the City
10 Council of the City of Long Beach at its meeting of _____, 2016
11 by the following vote:

12
13 Ayes: Councilmembers: _____
14 _____
15 _____
16 _____

17 Noes: Councilmembers: _____
18 _____

19 Absent: Councilmembers: _____
20 _____

21
22
23 _____
24 City Clerk

25
26
27
28