

1 **ORDINANCE NO. _____**
2

3 **AN ORDINANCE TO DISPENSE WITH THE REQUIREMENT OF**
4 **COMPETITIVE SELECTION AND TO AUTHORIZE THE CITY**
5 **MANAGER TO RENEW A CONTRACT WITH INFOR (US), INC., IN AN**
6 **AMOUNT NOT TO EXCEED TWO HUNDRED EIGHTY-EIGHT**
7 **THOUSAND, THREE HUNDRED NINETY-FIVE AND 72/100 DOLLARS**
8 **(\$288,395.72), PLUS APPLICABLE TAXES AND FEES, FOR SOFTWARE**
9 **MAINTENANCE FOR THE CITY'S ENTERPRISE RESOURCE**
10 **PLANNING SYSTEM; TO DECLARE AN EMERGENCY; AND FOR**
11 **OTHER PURPOSES.**
12

13 **WHEREAS**, pursuant to Request for Proposal No. 5329, the City solicited proposals for a fully-
14 integrated, web-enabled applications information system for the City's Enterprise Resource Planning
15 System ("the System"), and later authorized a contract with Lawson Software, Inc., in Little Rock, Ark.,
16 Resolution No. 12,202 (February 7, 2006); and,

17 **WHEREAS**, on July 1, 2012, Lawson Software, Inc., changed its business name to INFOR (US), Inc.;
18 and,

19 **WHEREAS**, pursuant to Ordinance No. 21,393 (April 18, 2017), the City authorized System upgrades
20 and expansions for Enterprise Asset Management, Strategic Sourcing & Contract Management, INFOR
21 Public Sector Community Development & Regulatory, Dynamic Enterprise Performance Management and
22 related data conversions; and,

23 **WHEREAS**, pursuant to Ordinance No. 21,405 (May 16, 2017), the City acknowledged INFOR (US),
24 Inc., was a proprietary software, and only INFOR is authorized to provide the necessary maintenance
25 service required to protect against a shut-down of the System; and,

26 **WHEREAS**, it is now time to enter into an additional one (1)-year agreement for INFOR Software
27 Licenses and Maintenance in an amount not to exceed Two Hundred Eighty-Eight Thousand, Three
28 Hundred Ninety-Five and 72/100 Dollars (\$288,395.72), plus applicable taxes and fees; and,

29 **WHEREAS**, as long as it can be certified to the City Manager that INFOR is the only company that is
30 authorized to provide this maintenance service pursuant to the INFOR software license, the City Manager
31 should be authorized to exercise an option to renew this agreement and any additional licenses needed with
32 INFOR (US), Inc. for a period of one (1)-year.

1 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY**
2 **OF LITTLE ROCK, ARKANSAS:**

3 **Section 1.** The City Manager is authorized to renew the maintenance agreement including any
4 additional licenses needed with INFOR (US), Inc., for a period of one (1)-year, in a form to be approved
5 by the City Attorney, for INFOR Software Maintenance for a total amount not to exceed Two Hundred
6 Eighty-Eight Thousand, Three Hundred Ninety-Five and 72/100 Dollars (\$288,395.72), plus applicable
7 taxes and fees.

8 **Section 2.** Because of the need to have periodic software maintenance performed by INFOR
9 Technicians in order to comply with the INFOR software license requirements and to protect the System,
10 the Board declares that it is impractical and unfeasible to submit this matter to a competitive selection
11 process.

12 **Section 3.** Funds for the annual payment required pursuant to the agreement authorized by this
13 ordinance are available in the Non-Departmental Account No. 100000-14010, the following Departments
14 will be responsible for their system: Finance; Human Resources; Planning & Development; and Fleet
15 Services.

16 **Section 4. Severability.** In the event any portion of this ordinance is declared or adjudged to be invalid
17 or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this
18 ordinance, which shall remain in full force and effect as if the portion so declared or adjudged invalid or
19 unconstitutional was not originally a part of this ordinance.

20 **Section 5. Repealer.** All ordinances and resolutions, and parts thereof, which are in conflict with any
21 provision of this ordinance are hereby repealed to the extent of such conflict.

22 **Section 6. Emergency Clause.** *The need for immediate and uninterrupted software maintenance*
23 *services is necessary to protect the City's critical Enterprise Resource Planning System which is essential*
24 *for City services and, therefore, is crucial to continue every day operations of the City; an emergency is,*
25 *therefore, declared to exist and this ordinance shall be in full force and effect from and after the date of its*
26 *passage.*

27 **PASSED: June 7, 2022**

28 **ATTEST:**

APPROVED:

30 _____
31 **Susan Langley, City Clerk**

_____ **Frank Scott, Jr., Mayor**

32 **APPROVED AS TO LEGAL FORM:**

33 _____
34 **Thomas M. Carpenter, City Attorney**
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