

**BOARD OF WATER COMMISSIONERS
RESOLUTION**

PRESENTED BY
COMMISSIONER _____

No. 19-1978
DATE November 12, 2019

WHEREAS, the Board of Water Commissioners entered into a Software License Agreement with Advanced Utility Systems dated June 25, 2008, which authorized the Board to use its software for the Board's customer information system (the "Agreement"); and

WHEREAS, the Board of Water Commissioners entered into an Amendment No. 1 to said Agreement dated December 8, 2009, which added \$15,000 to the cost of the Agreement to provide additional licensing fees and development services required to support eCare on-line payment processing; and

WHEREAS, Advanced Utility Systems has faithfully complied with all requirements and conditions of said Agreement and said Amendment; and

WHEREAS, the parties desire to further amend the Agreement to extend the term of the Contract for an additional five years only as it pertains to Support and Maintenance Services, fees for which will be escalated annually by a percentage equal to the Consumer Price Index – St Paul/Mpls (CPI) standard plus one percent, the total of which is not to exceed five percent; and

WHEREAS, staff has negotiated an Amendment No. 2 to Software License Agreement which provides for such extension, fee escalation, and updated per diem rates and support guidelines; and

WHEREAS, staff recommends approval of said Amendment No. 2; now, therefore, be it

RESOLVED, that Amendment No. 2 to Software License Agreement between the Board of Water Commissioners and Advanced Utility Systems to extend the term of the Contract for an additional five years, only as it pertains to Support and Maintenance Services, is hereby approved in substantially the form submitted, and that the proper officers are hereby authorized and directed to execute said Amendment No. 2 on behalf of the Board, following approval by the assistant city attorney.

Water Commissioners

Adopted by the Board of Water Commissioners

Yeas

Nays

November 12, 2019

In favor

Opposed

Secretary

ORIGINAL