

DRAFT**RESOLUTION 20xx-xxx**

RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO AGREEMENTS WITH PHOENIX BUSINESS, INC. DBA PHOENIX BUSINESS CONSULTING, SAGE GROUP CONSULTING, INC., NH BRANDT, INC., V3IT CONSULTING, INC., LABYRINTH SOLUTIONS, INC. DBA LSI CONSULTING AND QSI, INC. TO PROVIDE AS NEEDED SAP LEVEL 3 SUPPORT SERVICES, INCREASING THE AGGREGATE MAXIMUM EXPENDITURE UNDER SUCH AGREEMENTS BY A TOTAL AMOUNT OF \$350,000 TO A NEW AGGREGATE NOT-TO-EXCEED AMOUNT OF \$1,850,000 AND EXTENDING THE TERM OF EACH OF THE AGREEMENTS THROUGH 10/31/2021. FUNDS FOR FY2021 ARE BUDGETED IN THE TECHNOLOGY MANAGEMENT PROGRAM EXPENSE. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON THE ADOPTION OF EACH FISCAL YEAR'S BUDGET.

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the legislature in 1962 pursuant to Harbors and Navigation Code Appendix 1, (Port Act); and

WHEREAS, the Board of Port Commissioners (BPC) adopted BPC Policy No. 110 to establish a policy governing the processing and administration of public projects, consulting and service agreements, the purchasing of supplies, materials, and equipment, and grants; and

WHEREAS, on November 17, 2015, following a competitive bidding process, the Board of Port Commissioners (Board) authorized agreements between the District and eight information technology consulting firms: Phoenix Business, Inc., dba Phoenix Business Consulting; Sage Group Consulting, Inc.; RJT CompuQuest, Inc.; NH Brandt, Inc.; V3iT Consulting, Inc.; PAS Software Services, Inc.; Labyrinth Solutions, Inc., dba LSI Consulting; and QSI, Inc. for "As-Needed SAP Level 3 Support Services"; and

WHEREAS, the District selected these firms based upon interviews of responsive bidders to Request for Qualifications number 15-31 (RFQ 15-31); and

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WHEREAS, the agreements originally had a combined maximum expenditure limit of \$1,250,000; and

WHEREAS, all eight agreements were first amended in 2019 to increase the aggregate maximum expenditure under such agreements by \$250,000 to \$1,500,000; and

WHEREAS, under the agreements, the firms provided a wide range of professional consulting services to support the District's enterprise resource planning (ERP) system, SAP; and

WHEREAS, the agreements enabled the District to upgrade, enhance, or otherwise refresh its Business Warehouse, Financials, Cost Accounting, Funds Management for Public Sector, Procurement, Project System, Plant Maintenance, Sales and Distribution and Human Capital Management systems; and

WHEREAS, additionally, new modules such as Concur, Fiori, SuccessFactors and BenefitFocus were implemented leveraging these agreements; and

WHEREAS, staff had prepared the elements of a competitive process to replace the existing agreements; and

WHEREAS, due to the impact of the COVID-19 pandemic on the District's fiscal year 2021 budget and staff resource constraints, this process was placed on hold; and

WHEREAS, staff recommends authorizing Amendment No. 2 to the agreements with Phoenix Business, Inc., dba Phoenix Business Consulting; Sage Group Consulting, Inc.; NH Brandt, Inc.; V3iT Consulting, Inc.; Labyrinth Solutions, Inc., dba LSI Consulting; and QSI, Inc., which will sustain the District portfolio of technology initiatives until a new competition is completed, increasing the aggregate maximum expenditure under such agreements by \$350,000 for a new aggregate not-to-exceed amount of \$1,850,000 and extending the term of such agreements through October 31, 2021; and

WHEREAS, the agreement with PAS Software Services, Inc. will not be amended due to lack of responsiveness; and

WHEREAS, the agreement with RJT CompuQuest, Inc. will not be amended because the company was recently acquired and staff decided not to move forward in light of the ownership change; and

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WHEREAS, the District may terminate any of the agreements without cause upon giving thirty (30) days' written notice and paying unpaid fees earned through the termination date.

NOW, THEREFORE, BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District, that the Executive Director or her designated representative is hereby authorized to enter into Amendment No. 2 to the agreements with Phoenix Business, Inc., dba Phoenix Business Consulting; Sage Group Consulting, Inc.; NH Brandt, Inc.; V3iT Consulting, Inc.; Labyrinth Solutions, Inc., dba LSI Consulting; and QSI, Inc., increasing the aggregate maximum expenditure under such agreements by \$350,000 for a new aggregate not-to-exceed amount of \$1,850,000 and extending the term of each of the agreements through October 31, 2021.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL

By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 18th day of August 2020, by the following vote: