

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2024-852**

5 AN ORDINANCE MAKING CERTAIN FINDINGS AND
6 APPROPRIATING \$4,200,000.00 IN FUNDS PARTIALLY
7 AVAILABLE FROM THE \$2,800,000 MILLION SETTLEMENT
8 OF A CONTRACT DISPUTE BETWEEN THE CITY OF
9 JACKSONVILLE ("CITY") AND APPLICATIONS SOFTWARE
10 TECHNOLOGY LLC ("AST") TO A NEW PROJECT FOR
11 NETWORK INFRASTRUCTURE UPGRADE, AS INITIATED BY
12 B.T. 25-012; APPROVING THE SETTLEMENT OF A
13 CONTRACT DISPUTE BETWEEN THE CITY AND AST;
14 AUTHORIZING THE MAYOR, OR HER DESIGNEE, AND
15 CORPORATION SECRETARY TO EXECUTE AND DELIVER,
16 FOR AND ON BEHALF OF THE CITY, A SETTLEMENT
17 AGREEMENT BETWEEN THE CITY AND AST; AMENDING THE
18 2025-2029 FIVE-YEAR IT SYSTEM DEVELOPMENT PLAN
19 APPROVED BY ORDINANCE 2024-507-E; AMENDING
20 ORDINANCE 2024-504-E, THE FISCAL YEAR 2024-2025
21 BUDGET, TO REPLACE THE SCHEDULE A4; PROVIDING
22 FOR OVERSIGHT BY THE TECHNOLOGY SOLUTIONS
23 DEPARTMENT; PROVIDING AN EFFECTIVE DATE.
24

25 **WHEREAS**, on March 28, 2018, the City of Jacksonville ("City")
26 and Applications Software Technology LLC ("AST") entered into that
27 certain "Master Services Agreement between City of Jacksonville and
28 Applications Software Technology LLC for Enterprise Resource Planning
29 SaaS System Solution" ("Contract"); and

30 **WHEREAS**, a contract dispute arose between the City and AST
31 concerning amounts owed by the City to AST under the Contract

1 ("Dispute"); and

2 **WHEREAS**, the City and AST wish to avoid lengthy and expensive
3 litigation with an uncertain outcome, and accordingly, have reached
4 a settlement of their Dispute subject to review and approval by the
5 City Council pursuant to the requirements of Chapter 112 of the City's
6 Ordinance Code; and

7 **WHEREAS**, a portion of the funds saved by settling the Dispute
8 will be used for the Network Infrastructure Upgrade project;

9 **WHEREAS**, the City Council finds that it is in the best interests
10 of the City and the public that the Dispute be resolved without resort
11 to litigation, costs and expenses; now therefore

12 **BE IT ORDAINED** by the Council of the City of Jacksonville:

13 **Section 1. Findings.** The recitals set forth herein are true
14 and correct.

15 **Section 2. Appropriation.** For the 2024-2025 fiscal year,
16 within the City's budget, there are hereby appropriated the indicated
17 sum(s) from the account(s) listed in subsection (a) to the account(s)
18 listed in subsection (b):

19 (B.T. 25-012, attached hereto as **Exhibit 1** and incorporated herein
20 by this reference)

21 (a) Appropriated from:

22 See B.T. 25-012 \$4,200,000.00

23 (b) Appropriated to:

24 See B.T. 25-012 \$4,200,000.00

25 (c) Explanation of Appropriation

26 The funding above is an appropriation of funds from the DM
27 Capital Professional Services account to the DM Computer
28 Equipment and Software account within the IT System
29 Development Fund, which are available due to the settlement
30 of the Dispute (as hereinafter defined) and to be
31 designated for the Network Infrastructure Upgrade project

1 (the "Project").

2 **Section 3. Purpose.** The purpose of the appropriation in
3 Section 2 above is to provide funding in connection with the Project.
4 The Project will improve overall network infrastructure resilience
5 and security to support the City's first responders, to ensure high
6 availability of City services to the community of Jacksonville and
7 strengthen the continuity of operations for the City's workforce.

8 **Section 4. Settlement Approval and Authorization.** The
9 Settlement Agreement between the City and AST ("Settlement
10 Agreement") attached hereto as **Exhibit 2** is hereby approved in
11 accordance with Section 112.307, Ordinance Code. The Mayor, or her
12 designee, and Corporation Secretary are hereby authorized to execute
13 and deliver the Settlement Agreement for and on behalf of the City.

14 **Section 5. Amending the 2025-2029 Five-Year IT System**
15 **Development Plan Approved by Ordinance 2024-507-E.** The 2025-2029
16 Five-Year IT System Development Plan, approved by Ordinance 2024-507-
17 E, is hereby amended by substituting in the place of Exhibit 1 to
18 Ordinance 2024-507-E, the Fiscal Year 2025-2029 IT System Development
19 Projects schedule, attached hereto as **Exhibit 3**, and incorporated
20 herein by this reference. Ordinance 2024-507-E is hereby further
21 amended by including the Enterprise Financial and Resource Management
22 Solution - 1Cloud and Network Infrastructure Upgrade project
23 information sheets, attached hereto as **Exhibit 4**, and incorporated
24 herein by this reference, as part of Exhibit 2 to Ordinance 2024-507-
25 E.

26 **Section 6. Amending Ordinance 2024-504-E, the Fiscal Year**
27 **2024-2025 Budget, to Replace Schedule A4.** Ordinance 2024-504-E, the
28 Fiscal Year 2024-2025 Budget, is hereby amended to replace Schedule
29 B4a, entitled "Fiscal Year 2024-2025 IT System Development Projects",
30 to reflect the deappropriation of funding in the Enterprise Financial
31 and Resource Management Solution - 1Cloud project and the

1 appropriation of funding to the Project in the current fiscal year.
2 The Revised Schedule A4 is attached hereto as **Exhibit 3** and
3 incorporated herein by this reference.

4 **Section 7. Oversight.** The Department of Technology
5 Solutions shall oversee the project described herein.

6 **Section 8. Effective Date.** This Ordinance shall become
7 effective upon signature by the Mayor or upon becoming effective
8 without the Mayor's signature.

9
10 Form Approved:

11
12 /s/ Joelle Dillard

13 Office of General Counsel

14 Legislation Prepared By: Tiffiny Douglas Pinkstaff

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