

1 [Contract Amendment - Stratus Technologies, Inc. - \$3,486,580 and Extended Term]

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3 **Resolution authorizing the Department of Emergency Management to enter into the**
4 **Ninth Amendment of an agreement between the City and County of San Francisco and**
5 **Stratus Technologies, Inc., to increase the contract amount to \$3,486,580 and extend**
6 **the term of the agreement through June 30, 2014.**

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8 WHEREAS, On April 5, 1999, the City and County of San Francisco ("City"), acting
9 through its Department of Telecommunications and Information Services (now called the
10 Department of Technology ("DT")), entered into an agreement with Stratus Technologies, Inc.
11 ("Stratus") under which Stratus agreed to provide the City with 24/7/365 hardware and
12 operating system maintenance on Stratus computer equipment for the City's 9-1-1 dispatch
13 system (the "Agreement"); and,

14 WHEREAS, The City must contract with Stratus to maintain the equipment and
15 operating system for the 9-1-1 dispatch system, which equipment and system is proprietary to
16 Stratus; and,

17 WHEREAS, The initial term of the Agreement was for two years; and,

18 WHEREAS, The parties amended the Agreement eight times, by the First Amendment
19 dated May 1, 2000; the Second Amendment dated November 7, 2002; the Third Amendment
20 dated August 6, 2003; the Fourth Amendment dated June 4, 2004; the Fifth Amendment
21 dated July 18, 2006; the Sixth Amendment dated September 12, 2008; the Seventh
22 Amendment dated October 24, 2008; and the Eighth Amendment dated October 12, 2010,
23 and,

24 WHEREAS, The Seventh Amendment to the Agreement extended the term of the
25 Agreement beyond ten years, from November 30, 2008 to September 30, 2012, and the

1 Board of Supervisors approved that Amendment on January 27, 2009, by Resolution 28-09;
2 and,

3 WHEREAS, The current term of the Agreement expires on September 30, 2012; and,
4 WHEREAS, The Department of Emergency Management ("DEM"), which manages the
5 City's 9-1-1 system, has assumed management of the Agreement; and,

6 WHEREAS, DEM negotiated a Ninth Amendment with Stratus, dated January 1, 2012,
7 which extends the term of the Agreement through June 30, 2014 and increases the amount of
8 the Agreement to \$3,486,580, to pay for maintenance services to the 9-1-1 system during the
9 extended term; and,

10 WHEREAS, DEM is developing a replacement of the current 9-1-1 system, which has
11 been approved by COIT. Through the Ninth Amendment, DEM will obtain necessary
12 maintenance and support for the existing 9-1-1 system and ensure delivery of critical City
13 services during the development of the replacement system; and,

14 WHEREAS, Charter Section 9.118(b), "Contract and Lease Limitations," requires
15 Board of Supervisors approval of any contract having a term in excess of ten years and the
16 modification or amendments to such contract or agreement having an impact of more than
17 \$500,000; and,

18 WHEREAS, the proposed Ninth Amendment, as well as the original Agreement, other
19 Amendments and earlier Resolution, is on file with the Clerk of the Board of Supervisors in
20 File No. 120199, which is hereby declared to be a part of this Resolution as though fully set
21 forth herein, now, therefore, be it

22 RESOLVED, that the Board of Supervisors approves the Ninth Amendment to the
23 Agreement with Stratus Technologies, Inc., to increase the contract amount to \$3,486,580
24 and extend the term of the agreement through June 30, 2014.

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