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SP. CA 11/24/15  
1st R 12/1/15  
2nd R 12/15/15  
SP. COUNCIL 12/21/15  
B/C

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 9988-2015

INTRODUCED BY: MAYOR COYNE

AN ORDINANCE

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH  
RIGHT STUFF SOFTWARE CORPORATION WITHOUT PUBLIC BIDDING  
FOR CONSULTING, INSTALLATION, TRAINING,  
AND TIME CLOCK HARDWARE,  
AND DECLARING AN EMERGENCY

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of  
Brook Park, State of Ohio, that:

SECTION 1: Pursuant to Section 7.04(h) of the Charter of  
the City of Brook Park, the Mayor be and is hereby authorized to  
enter into an Agreement with Right Stuff Software Corporation for  
consulting, installation, training, licensing and support, off-  
site hosting and time clock hardware; a proposal for said services  
and materials is attached hereto and incorporated herein as  
Exhibit "A".

SECTION 2: The money needed for the aforesaid transaction  
shall be paid from funds theretofore appropriated or to be  
appropriated for said purpose and shall not exceed \$55,833.00.

SECTION 3: It is found and determined that all formal  
actions of this Council concerning and relating to the adoption of  
this Ordinance were adopted in an open meeting of this Council,  
and that all deliberations of this Council and of any of its  
committees that resulted in such formal action were in meetings  
open to the public in compliance with all legal requirements,  
including Section 121.22 of the Ohio Revised Code.

SECTION 4: This Ordinance is hereby declared to be an  
emergency measure immediately necessary for the preservation of  
the public peace, health, safety and welfare of said City, and for  
the further reason to enter into a contract with Right Stuff  
Software Corporation; this Ordinance shall take effect and be in  
force immediately from and after its passage and approval by the  
Mayor.

PASSED: December 21, 2015

Dennis J. Patten  
PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak  
Clerk of Council

APPROVED: [Signature]  
MAYOR

12/21/2015  
DATE

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS

[Signature]  
DIRECTOR OF LAW

CERTIFICATE

Michelle Blazak, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance/Resolution

No. 9988-2015  
passed on the 21st day of December  
20 15 by said council.

Michelle Blazak  
Clerk of Council

I, Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at six of the most public places in said municipality as determined by Ordinance No. 4838-1975; location City Hall 6161 Engle Road, Police Station 17401 Holland Road, #1 Fire Station 5596 Smith Road, #2 Fire Station 2530 Rupp Parkway #3 Fire Station 17401 Holland Road, Brook Park Library 6161 Engle Road for a period of fifteen days.

commencing December 21, 2015  
Michelle Blazak  
MICHELLE BLAZAK  
Clerk of Council

## EXHIBIT A

### 1. SOFTWARE

Software means the following programs in object code and related online documentation.

The number of users permitted to use the Software under this license is 275.

### 2. SYSTEM REQUIREMENTS

The detailed requirements for the system to be delivered are documented in the attached Project Proposal, for the Employee Timekeeping and Scheduling Software Package dated November 10, 2015.

### 3. LICENSE FEES

All payments are to be made in U.S. dollars, payable net 60.

Fees are as stated in the proposal of November 10, 2015:

Initial setup and training: \$25,833

The setup cost is calculated based on up to two onsite visits for the initial consultation and setup. Additional visits will be billed at a rate of \$1200 per day.

The initial setup fee is due at implementation. Monthly license fees begin in the month following the go live date.

The licensing fee for the product is based upon the number of employees using the system. Licensing is as follows and is billed annually:

License Fees:

Licensing and Support: \$1,700 per month for up to 275 users

Time Clocks (Biometric): Initial order of 6 clocks @ \$1,200 per clock.

The initial contract is a one year term. Licensing includes technical support and product maintenance. Licensing includes business hour email and phone support. This support includes system setup changes that can occur with periodic assignment changes and general personnel setup alterations. Year-end activities are also covered under this fee, which can include holiday generation and leave bank adjustments. This fee is subject to annual increase after the initial term not to exceed 3% per year.