

Procurement History

Accero, Inc. Second Amendment

On October 21, 1997, Item No. 18, the Board of County Commissioners approved an Agreement between Broward County and Cyborg Systems, Inc. for a Payroll/Human Resources /Position Control System and Third-Party Software. Article 5, Section 5.1 provides for eighteen months of maintenance “Initial Term” commencing upon final acceptance for no additional fee, and Section 5.3 provides for payment thereafter for five additional years of maintenance following the initial 18 month term as follows:

Year 1: \$ 86,635
Year 2: \$ 90,967
Year 3: \$ 95,515
Year 4: \$100,291
Year 5: \$105,305
Total: \$478,713

As per Section 5.4, the Agreement specified until the 11th anniversary date, the annual maintenance charge shall increase at a yearly rate of no more than five percent. On March 17, 1999, Final Acceptance of the System was completed and the eighteen-month “initial term” Maintenance began.

On April 30, 1999, the Director of Purchasing approved an Amendment to the System Development Agreement to provide for additional deliverables and services and to increase the maximum payable amount as set forth in the original agreement from \$1,000,000 to \$1,200,000.

On August 15, 2002, the Director of Purchasing approved a Second Amendment to the System Development Agreement for ten copies of Third Party Reporting Software and Maintenance for \$9,000 increasing the maintenance fee for Year 4 by \$1,606.32 for a total of \$101,894.32.

In June 2003, Hewitt Associates, LLC acquired Cyborg Systems, Inc.

On October 15, 2004, the Director of Purchasing approved a Software License and Maintenance Agreement between the County and Hewitt Associates, LLC, for ten copies of Third-Party Reporting Software and Maintenance for \$8,000, increasing the maintenance fee for Year 5 by \$1,554 for a total of \$106,859.

In February 2008, Vista Equity Partners acquired Hewitt Associates, LLC and formed Accero, Inc. Accero is now the provider of Maintenance for all products listed in the Agreements.

On August 14, 2009, the Director of Purchasing approved the First Amendment to the Software License and Maintenance Agreement between County and Accero, Inc. for a

platform license transfer from the HP AIX platform (Old Platform) to the SUN Solaris platform (New Platform) at no cost to the County.

On October 23, 2009, the Director of Purchasing approved a Service Contract between the County and Accero, Inc. for extended maintenance of back-level software in the amount of \$75,000.

On July 13, 2010, the Director of Enterprise Technology Services approved the purchase of three copies of Third-Party Reporting Software and Maintenance at a cost of \$2,700, increasing the maintenance fee for Year 10 by \$135 for a total of \$139,519.05.

The current System Development, License, and Maintenance agreements with Accero, Inc. will expire September 30, 2010.

The Second Amendment extends the existing Software License and Maintenance Agreement for three one-year periods with two optional one-year periods for a potential five year total amount of \$677,116.95. The first year maintenance fee was reduced by ten percent in the amount of \$13,951.90 from the current annual maintenance fee of \$139,519.05 and annual escalations have been reduced from five percent to three percent for a cost avoidance savings for first three years in the amount \$63,246.09, for an estimated five year savings in the amount \$132,360.41. The Second Amendment also reduces maintenance fees based on the current number of licenses required by the County with a cap of 7,000. To align the County with other similarly situated customers on Accero, Inc.'s annual support and maintenance and to facilitate the County's quarterly tax updates, the first annual period includes an additional one month in the amount of \$10,463.93 for a one year one month total of \$136,031.07 from October 1, 2010 through October 31, 2011.

PAID MAINTENANCE FEES

From	To	Fee	Notes
3/17/1999	9/30/2000	No Fee	18 month "initial period"
10/1/2000	9/30/2001	86,635	Matches contract year 1
10/1/2001	9/30/2002	90,967	Matches contract year 2
10/1/2002	9/30/2003	95,515	Matches contract year 3
10/1/2003	9/30/2004	101,894.32	Matches contract year 4 plus maintenance fee increase of \$1,606.32 for ten Third-Party Reporting Licenses
10/1/2004	9/30/2005	106,859.	Matches contract year 5 plus maintenance fee increase of \$1,554 for ten Third-Party

			Reporting Licenses
10/1/2005	9/30/2006	112,202	Year 6 – 5% increase as contract allows
10/1/2006	9/30/2007	117,812	Year 7 – 5% increase as contract allows
10/1/2007	9/30/2008	126,059	Year 8 – 5% increase as contract allows
10/1/2008	9/30/2009	132,362	Year 9 – 5% increase as contract allows
10/1/2009	9/30/2010	139,519.05	Year 10 – 5% increase as contract allows plus maintenance fee increase of \$135 for three 3rd Party Reporting Licenses
		1,109,824.37	TOTAL MAINTENANCE FEES PAID

PROPOSED MAINTENANCE FEES

From	To	Fee	Notes
10/1/2010	9/30/2011	125,567.14	Year 1 10% reduction (\$13,951.90) from previous maintenance period
10/1/2011	10/31/2011	10,463.93	Additional month to align the County with other similarly situated customers on Accero's annual support and maintenance (1 year and 1 month total of \$136,031.07)
11/1/2011	10/31/2012	129,334.16	Year 2 – 3% increase as contract allows
11/1/2012	10/31/2013	133,214.18	Year 3 – 3% increase as contract allows (Total 3 annual periods in the amount of \$398,579.41)
11/1/2013	10/31/2014	137,210.61	Year 4 (Optional) – 3% increase as contract allows
11/1/2014	10/31/2015	141,326.93	Year 5 (Optional) – 3% increase as contract allows
		677,116.95	TOTAL PROPOSED MAINTENANCE FEES

SYSTEM DEVELOPMENT, LICENSE, AND MAINTENANCE AGREEMENT MATRIX

Item	Approval Level	Approval Date/Item No.	Total Amount
System Development,	Board	October 21, 1997	\$2,109,824.37

License, and Maintenance Agreement		Item No. 18 System Development and License Agreements: Maximum not-to-exceed \$1,000,000 and Maintenance Agreement: 11 annual periods in the amount of \$1,109,824.37.	
System Development Agreement Amendment 1	Director of Purchasing	April 30, 1999 Changed scope to include additional services and deliverables and to increase the maximum payable amount from \$1,000,000 to \$1,200,000.	200,000
System Development Agreement Amendment 2	Director of Purchasing	August 15, 2002 Purchased 10 copies of Third-Party Software and maintenance for a total of 59 copies. Note: Maintenance fee for FY 2003 increased by \$1,603.32.	9,000
Software License and Maintenance Agreement	Director of Purchasing	October 15, 2004 Purchased 10 copies of Third-Party Software and maintenance for a total of 69 copies. Maintenance fee for FY 2004 increased by \$1,554.	8,000
License and Maintenance Agreement Amendment 1	Director of Purchasing	August 14, 2009 Platform license transfer from the HP AIX platform (Old Platform) to the SUN Solaris platform (New Platform).	No Charge
Extended Maintenance and Services Support	Director of Purchasing	October 23, 2009 Provided for back-level software support.	75,000

Software License and Maintenance Order	ETS	July 13, 2010 Purchased 3 copies of Third-Party Software and maintenance for a total of 72 copies. Maintenance fee for FY 2010 increased by \$540.	2,700
CURRENT VALUE OF SYSTEM DEVELOPMENT, LICENSE, AND MAINTENANCE AGREEMENTS			2,404,524.37
License and Maintenance Agreement Amendment 2	Board	Pending approval 3 Years and 2 optional Years maintenance.	677,116.95
TOTAL POTENTIAL VALUE OF SYSTEM DEVELOPMENT, LICENSE, AND MAINTENANCE AGREEMENTS			3,081,641.32