

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Purchase of Licenses, Support and Maintenance of Microsoft Products Under the DAS Cooperative Purchasing Program in the Total Amount Not-to-Exceed \$1,600,000.00

WHEREAS, under Resolution No. 32-2003, adopted on July 21, 2003, the Executive Director is authorized to participate in state contracts through the Ohio Department of Administrative Services (“DAS”) Cooperative Purchasing Program, through which members may purchase supplies, services, equipment and other materials in accordance with Ohio Revised Code Section 125.04; and

WHEREAS, under Resolution No. 45-2015, adopted on October 26, 2015, the Executive Director was authorized to take action to obtain licenses, support and maintenance of Microsoft products from DAS; and

WHEREAS, in 2015 the Commission entered into a Memorandum of Understanding with DAS and purchased and benefitted from the licenses, support and maintenance of Microsoft products provided and installed as a result thereof; and

WHEREAS DAS no longer utilizes Memoranda of Understanding to administer such licenses, support and maintenance, as the same are now included in a Rated Services Catalog attached to the annually approved OBM Rates which allows for more flexibility as product names, offerings, licensing levels and quantities can change; and

WHEREAS, the Chief Information Officer has determined that continuing with the current licensing and administration of Microsoft products for a five year period best serves the needs of the Commission; and

WHEREAS, the Chief Information Officer has prepared Estimated Costs for said Microsoft products provided to all Commission employees available through the DAS Cooperative Purchasing Program under the Rated Services Catalog, which include rates previously approved by DAS for the remainder of 2021, and based upon which the Chief Information Officer has forecasted rates for years 2022, 2023, 2024, 2025, and 2026 in the total approximate amount of \$1,600,000; and

WHEREAS, the Chief Information Officer recommends that the Commission approve the purchase of licensing, support and maintenance of Microsoft products from DAS, including administrative fees, necessary to support Turnpike operations in an amount not to exceed \$1,600,000.00; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission’s Code of Bylaws because the expenditures required to purchase the licensing, support and maintenance of the Microsoft products, including administrative fees, exceeds \$150,000.00; and

WHEREAS, the Executive Director has reviewed the recommendation of the Chief Information Officer and concurs that the Commission should approve the purchase of licenses, support and maintenance of Microsoft products, including administrative fees, under the DAS Cooperative Purchasing Program; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the expenditure of funds under the Rated Services Catalog to the Department of Administrative Services to furnish the Commission with licenses, support and maintenance for Microsoft Products, including administrative fees, in the total not-to-exceed amount of \$1,600,000.00, is approved; and

FURTHER RESOLVED, that the Executive Director has the authority under Article V, Section 1.00 of the Code of Bylaws to approve such extra work or change orders under said

Contract that does not exceed ten percent of the approved contract amount or the Executive Director's contracting authority and which is a result of an increase in the planned quantities, newly mandated requirements that did not exist at the time of original contract award, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the Project or increase its costs.

(Resolution No. 38-2021 adopted June 21, 2021)