

SPECIAL PURCHASES

The following is a special purchase to be made pursuant to Indiana Code §5-22-10 *et. seq.*

Description of item or items to be purchased and explanation of why special purchasing method shall be used:

Plan to enter into a contract with OpenGov for a cloud-based ERP system for Financials, Budgeting and Planning, Permitting, Licensing and Code Enforcement, Reporting and Transparency Platform, and Utility Billing. Due to COVID-19, implementing the cloud-based solution in a timely manner is imperative for continuity of operations while faced with the pandemic. There is only one fully integrated web-based Financial Management Suite; Permitting, Licensing, and Code Enforcement Suite, and Budgeting and Planning Suite that is purpose-built for local government. OpenGov is providing special pricing consideration by offering a bundled package as well as a discount due to COVID-19.

Contractor selected:

OpenGov

Applicable statutory section for special purchasing method:

IC §5-22-10-4: Emergency conditions; purchases by Counter-Terrorism and Security Council

IC §5-22-10-5: Savings to Governmental Body

IC §5-22-10-6: Auctions

IC §5-22-10-7: Data processing contract or license agreements

IC §5-22-10-8: Single source for supply

IC §5-22-10-9: Purchasing method impairs functioning of agency

IC §5-22-10-10: No offer received under other purchasing method

IC §5-22-10-11: Evaluation of supplies or system containing supplies

IC §5-22-10-12: Governmental discount available

IC §5-22-10-13: Single source for supply; award of contracts

IC §5-22-10-14: Efficiency and economic advantages

IC §5-22-10-15: Purchase from person who has contract with Federal Agency

IC §5-22-10-16: Acquisition of supplies through transfer from Federal Government

IC §5-22-10-17: Acquisition of supplies through acceptance of gift

IC §5-22-10-18: Special purchase of copyrighted material

IC §5-22-10-19: Purchase from Public Utility following independent appraisal

Department requesting purchase:

Finance and Records, Planning, Wastewater

Approved By: _____

Department Head

Tammy Havard, CFO

Date Presented to and Approved by Town Council: _____



955 Charter Street, Redwood City, CA 94063 | (650) 336-7167 | www.opengov.com

Tammy Havard
Chief Financial Officer
Town of Zionsville, IN
1100 W Oak Street
Zionsville, IN 46077

RE: Single Source for Supply

Dear Tammy,

By partnering with OpenGov, a leading provider of enterprise software to the public sector, the Town of Zionsville will gain access to the OpenGov ERP Cloud, the only fully integrated web-based Financial Management Suite; Permitting, Licensing, and Code Enforcement Suite, and Budgeting and Planning Suite that is purpose-built for local government. This Software-as-a-Service (“SaaS”) solution that is unique and proprietary allows internal staff to access the technology from any device and from any location, allowing employees to be more efficient in their daily duties. The OpenGov ERP Cloud also includes OpenGov’s Reporting and Transparency platform, which allows key decision-makers to make more informed decisions, resulting in increased accountability and improved performance.

OpenGov currently works with over 1,000 customers across the country. With OpenGov’s SaaS model, the Town of Zionsville will be able to quickly launch teleworking capacity, avoid costly maintenance upgrades and gain access to rapid, continual, and frequent product releases that will be available at no extra cost.

Based upon Section 10, Special Purchase Methods of the Indiana Administrative Code, the OpenGov Financials Cloud fulfills multiple requirements authorizing a special purchase:

1. IC 5-22-10-4: Emergency conditions

Sec. 4. (a) A purchasing agent may make a special purchase when there exists, under emergency conditions, a threat to public health, welfare, or safety. Due to COVID-19, a public health emergency has arisen and OpenGov is providing technology to enable remote workforces and continuity of operations while faced with the pandemic.

2. IC 5-22-10-5: Savings to governmental body

A purchasing agent may make a special purchase when there exists a unique opportunity to obtain supplies or services at substantial savings to the governmental body. OpenGov is offering special pricing considerations and discounts to the Town due to COVID-19 and offering a bundled package that provides a single, integrated solution that can be used by departments throughout the organization.



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3. IC 5-22-10-7: Data processing contract or license agreements

A purchasing agent may make a special purchase of data processing contracts or license agreements for software programs or supplies or services when only one source meets the using agency's reasonable requirements. OpenGov provides the only fully integrated web-based Financial Management Suite; Permitting, Licensing, and Code Enforcement Suite, and Budgeting and Planning Suite that is purpose-built for local government. OpenGov has received numerous patents that make the technology unique and proprietary.

4. IC 5-22-10-8: Compatibility of equipment, accessories, or replacement parts

A purchasing agent may make a special purchase when the compatibility of equipment, accessories, or replacement parts is a substantial consideration in the purchase and only one source meets the using agency's reasonable requirements. The Town has existing technology systems that OpenGov will uniquely connect with to ensure an enterprise data platform to connect all of the Town's data and systems into one central platform

OpenGov's mission is to Power More Effective and Accountable Government and our technology and services are built by government, for government. With over 300 years of collective government experience in our company, OpenGov is entirely concerned with providing governments with the tools and expertise they need to best serve the public. Serving government is our **sole focus** and our solutions enable governments to drive more efficiently toward their strategic goals. No other company currently offers this unique track record and set of functionality and services.

From OpenGov's patented Chart of Accounts Editor which enables dynamic and interactive exploration of each government's unique Chart of Accounts, to OpenGov's fully integrated web-based Financial Management Suite; Permitting, Licensing, and Code Enforcement Suite, and Budgeting and Planning Suite, each element of OpenGov's solutions deliver unique technical capabilities which no other company is currently replicating. And while other companies might offer products that resemble individual singular elements of OpenGov's cloud offerings, when evaluated as a complete package OpenGov's ERP Cloud is a unique and proprietary (supported by patents) software package against which no other software can reasonably consider itself a competitor.

Sincerely,

Andrew Jones
Account Executive

Mike Mattson
VP, NA Sales & Customer Success



OpenGov Inc. 955 Charter Street
 Redwood City, CA 94063
 United States

Created On: 9/23/2020
Quote Expiration: 10/15/2020
Subscription Start Date: 10/15/2020
Subscription End Date: 10/14/2025

Prepared By: Andrew Jones
Email: ajones@opengov.com
Contract Term: 5 Years

| Customer Information | | Contact Name | |
|-------------------------|---|----------------------|---------------------------|
| Customer: | Town of Zionsville, IN | Contact Name: | Tammy Havard |
| Bill To/Ship To: | 1100 W Oak St Zionsville, Indiana 46077 United States | Email: | thavard@zionsville-in.gov |
| | | Phone: | (317) 344-1170 |
| | | Contact Name: | Tammy Havard |
| | | Email: | thavard@zionsville-in.gov |
| | | Phone: | (317) 344-1170 |

| Order Details | |
|--|---|
| Billing Frequency: Annual | Description: See Billing Table Below |
| Payment Terms: Net Thirty (30) Days | |

SOFTWARE SERVICES:

| Product / Service | Start Date | End Date | Annual Term | Annual Fee |
|--|------------|------------|-----------------------------|--------------------|
| OpenGov ERP Cloud Bundle <i>Core Financials, Utility Billing, Budgeting & Planning, Reporting & Transparency, Permitting, Licensing, & Code Enforcement, Premium Support — Platinum</i> | 10/15/2020 | 10/14/2025 | 5 | \$69,550.00 |
| | | | Annual Subscription: | \$69,550.00 |

PROFESSIONAL SERVICES:

| Product / Service | Description |
|---|---|
| OpenGov Deployment — One Time Fee (Prepaid Hours) | Product configuration, setup, and training described in the attached SOW. |
| Professional Services Total: \$148,000.00 | |

Software Billing Table:

| Billing Date | Amount Due |
|------------------|---|
| October 15, 2020 | \$217,550.00 (\$69,550.00 Software Services + \$148,000.00 Professional Services) |
| October 15, 2021 | \$69,550.00 |
| October 15, 2022 | \$69,550.00 |
| October 15, 2023 | \$69,550.00 |
| October 15, 2024 | \$69,550.00 |

Order Form Legal Terms

Welcome to OpenGov! Thanks for using our Software Services. This Order Form is entered into between OpenGov, Inc., with its principal place of business at 955 Charter Street, Redwood City, 94063 ("OpenGov"), and you, the entity identified above ("Customer"), as of the Effective Date. This Order Form includes and incorporates the OpenGov Software Services Agreement ("SSA") attached, or if no such SSA is attached, the SSA available at <https://opengov.com/terms-of-service> and the applicable Statement of Work ("SOW") incorporated herein in the event Professional Services are purchased. The Order Form, SSA and SOW shall hereafter be referred to as the "Agreement". Unless otherwise specified above, fees for the Software Services and Professional Services shall be due and payable, in advance, on the Effective Date. By signing this Agreement, Customer acknowledges that it has reviewed, and agrees to be legally bound by, the OpenGov Terms and Conditions. Each party's acceptance of this Agreement is conditional upon the other's acceptance of the terms in the Agreement to the exclusion of all other terms.

Town of Zionsville, IN

Signature: _____
 Name: _____
 Title: _____
 Date: _____

OpenGov, Inc.

Signature: _____
 Name: _____
 Title: _____
 Date: _____