



Text File

Introduced: 3/2/2011

Bill No: 2011-1480, **Version:** 1

Committee: Committee on Finance and Law

Status: Passed Finally

An Ordinance Of The City Of Pittsburgh ("The City") Authorizing The City To Enter Into An Intergovernmental Cooperation Agreement With The County of Allegheny ("The County") Under Which The City And The County Jointly Will Share And Implement A Financial Reporting System Known As Enterprise Resource Planning.

WHEREAS, the Intergovernmental Cooperation Act, Pa. Con. Stat. Ann. tit. 53, §2301 et seq. (2009), (hereinafter "the Act,") generally provides that two or more municipalities may jointly cooperate in the exercise or in the performance of their respective governmental functions, powers or responsibilities; and

WHEREAS, the County has implemented and currently operates a financial reporting system known as the Enterprise Resource Planning System (ERP System) under a license granted by DLT Solutions (Oracle); and

WHEREAS, the City is desirous of sharing its current ERP System and infrastructure with the County by allowing the City to become a co-end user and co-licensee of the ERP System; and

WHEREAS, the City and the County have completed negotiations on a proposed intergovernmental cooperation agreement governing the licensing, implementation and post-implementation support of a jointly owned and operated ERP System and infrastructure to be utilized by both local governments; and

WHEREAS, Section 2305 of the Act provides that a local government may enter into an intergovernmental cooperation agreement upon the passage of an ordinance by its legislative governing body.

Be is resolved that the Council of the City of Pittsburgh hereby enacts as follows:

Section 1. Incorporation of the Preamble.

The provisions set forth in the preamble to this Ordinance are incorporated by reference in their entirety herein.

Section 2. Authorization to Enter Intergovernmental Cooperation Agreement with the County of Allegheny.

The City, through the Mayor, is hereby authorized to enter into an intergovernmental cooperation agreement with the County under which the County will share its current ERP System and infrastructure with the City by allowing the City to become a co-end user and co-licensee of the ERP System (hereinafter, "the Intergovernmental Cooperation Agreement"). The Intergovernmental Cooperation Agreement shall be substantially in the form and shall include the terms, provisions and conditions set forth in the document attached hereto as Exhibit "A." The Intergovernmental Cooperation Agreement shall be subject to final review and approval as to form by the City Solicitor.

Section 3. Duration of Intergovernmental Cooperation Agreement.

The Intergovernmental Cooperation Agreement shall become effective as of October 31, 2010, whenever the last legislative approval is given by either the City or the County and, unless terminated sooner by action of one of the parties in accordance with the terms set forth in the Intergovernmental Cooperation Agreement, shall expire on December 31, 2015; provided however, that the term of the Intergovernmental Cooperation Agreement may be extended beyond December 31, 2015 for one or more one (1) year periods upon mutual written agreement of the City and the County.

Section 4. Purposes and Objectives of the Intergovernmental Cooperation Agreement.

The purpose and objectives of the Intergovernmental Cooperation Agreement are to cooperate in the area of financial reporting and management by having the County share its current ERP System and infrastructure with the City by allowing the City to become a co-end user and co-licensee of the ERP System.

Section 5. Organizational Structure and Financing.

A. The Intergovernmental Cooperation Agreement shall be carried out by the departments, offices, informal structures, groups and committees and by officers of the respective governmental bodies as named in Exhibit "A."

B. The County and the City agree to pay the fees to the ERP Systems Vendor, DLT Solutions (Oracle), as set forth in Subparagraph B of Article 2 of the Intergovernmental Cooperation Agreement. The County and City also agree to the cost reimbursements for Implementation of Phase I Services (ERP Environment Creation) as set forth in Subparagraph B of Article 2 of the Intergovernmental Cooperation Agreement. The parties' good faith estimate of these costs to be reimbursed by the City to the County shall be approximately FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00), with the final reimbursement amount to be calculated to reflect actual costs incurred to create the ERP Environment by utilizing the rates set forth in Section (iv) of Subparagraph B of Article 2 of the Intergovernmental Cooperation Agreement. The County and City further agree to the cost reimbursements for Implementation of Phase II Services as set forth in Subparagraph B of Article 4 of the Intergovernmental Cooperation Agreement. The parties' good faith estimate of these costs to be reimbursed by the City to the County shall be approximately NINE HUNDRED THOUSAND DOLLARS (\$900,000.00), with the final reimbursement amount to be calculated to reflect actual costs incurred by utilizing the rates set forth in Section (iv) of Subparagraph B of Article 2 of the Intergovernmental Cooperation Agreement.

Section 6. Real and Personal Property.

All real and personal property shall be acquired, managed, licensed and disposed of in accordance with: a) the applicable laws, ordinances, regulations and procedures governing the operations of the respective governmental bodies; and b) the provisions of the Intergovernmental Cooperation Agreement attached as Exhibit "A."

Section 7. Conditions.

All conditions pertaining to the cooperation of the respective governmental bodies shall be as set forth in Exhibit "A."

Section 8. Effective Date.

This Ordinance shall enter into effect on the date of its enactment.

Section 9. Severability.

If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall be in full force and effect.

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I do hereby certify that the foregoing resolution duly engrossed and certified, was delivered by me to the Mayor for his approval or disapproval and that the Mayor failed to approve or disapprove the same, whereupon it became a law without his approval under the provisions of the Act of Assembly in such case made and provided. Linda Johnson-Wasler, City Clerk