

# REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
4	10/12/15	Open	Action	09/29/15

Subject: Whether or not to delegate authority to the General Manager/CEO to pay invoices for the annual maintenance support fee for software purchased from Clever Devices, Inc.

## ISSUE

Whether or not to delegate authority to the General Manager/CEO to pay invoices for the annual maintenance support fees for software purchased from Clever Devices, Inc.

## RECOMMENDED ACTION

Adopt Resolution 15-10-\_\_\_, Delegating Authority to the General Manager/CEO to Pay Annual Software Maintenance Support Fees for Software Purchased from Clever Devices, Inc.

## FISCAL IMPACT

Budgeted:	Yes	This FY:	\$	116,748
Budget Source:	Operating	Next FY:	\$	
Funding Source:	Local/Federal	Annualized:	\$	
Cost Cntr/GL Acct(s) or Capital Project #:	76-630021	Total Amount:	\$	116,748
Total Budget:	\$ 116,748			

## DISCUSSION

Over the past 15 years, RT has purchased various hardware systems and software applications from Clever Devices, Inc. for transit systems operations. Examples of these systems and applications are: on-board computer systems for automated passenger counting, automated vehicle location, on-time performance, schedule adherence, and bus arrival prediction for transit operations.

Annual software maintenance for these systems has been purchased by RT under the General Manager/CEO's authority to award contracts under \$100,000. This year however, the aggregate total of software maintenance costs for all Clever Devices hardware and software products in use by RT exceeds \$100,000.

Approved:

Presented:

Final 10/16/15

General Manager/CEO

Director of Information Technology

J:\Board Meeting Documents\2015\17 October 12, 2015\IP - Clever Devices Software Maintenance.docx

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Software maintenance costs by product are listed below.

**Clever Devices Software Maintenance (7/1/15 to 6/30/16) for Fleet Size 221**

1	BusWare AVA, APC SW Maintenance	\$23,710.00	\$23,710.00
2	BusTools SW Maintenance (1 Seat License)	\$14,446.00	\$14,446.00
3	BusLink Authentication/Distribution SW Maintenance (1 Seat License)	\$10,378.00	\$10,378.00
4	Data Collection Tool SW Maintenance	\$ 4,151.00	\$ 4,151.00
5	BusWare BusTime and DCC Vehicle	\$47,081.00	\$47,081.00
6	BusTime and DCC Server Maintenance	\$ 7,371.00	\$ 7,371.00
7	BusWare INIT Interface ***	\$ 4,867.00	\$ 4,867.00
8	BusTime Schedule updates (4 per maintenance agreement)	\$ 4,744.00	\$ 4,744.00

This year, for the first time, the annual software maintenance fees exceed \$100,000, which has prompted Staff to reexamine the annual software maintenance fees and the mechanism applied to approve and process payment.

Because payment of the annual maintenance fees are necessary to maintain the functionality of the hardware and software, and because the hardware and software is proprietary and can only be maintained by Cleve Devices and, for these reasons, is not a discretionary expenditure, Staff is requesting that the Board delegate authority to the General Manager/CEO to continue paying the annual support fee to Clever Devices, Inc. for so long as RT continues to use the hardware system and software applications provided by Clever Devices, Inc.

RESOLUTION NO. 15-10-\_\_\_\_\_

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

October 12, 2015

**DELEGATING AUTHORITY TO THE GENERAL MANAGER/CEO TO PAY ANNUAL SOFTWARE MAINTENANCE SUPPORT FEES FOR SOFTWARE PURCHASED FROM CLEVER DEVICES, INC.**

BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, authority is hereby delegated to the General Manager/CEO to pay the annual software maintenance support fees due for the maintenance of Clever Devices, Inc. software products owned by RT each year for so long as RT continues to require maintenance and upgrades for the licensed software.

THAT, the General Manager/CEO is hereby authorized to execute any form, agreement, invoice, or other documents necessary to approve and process payment of the maintenance support fees.

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JAY SCHENIRER, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: \_\_\_\_\_  
Cindy Brooks, Assistant Secretary