



Legislation Text

File #: 18-0018, **Version:** 1

MOTION TO RATIFY THE CITY MANAGER APPROVAL TO ENTER INTO THE SECOND AMENDMENT OF THE AGREEMENT BETWEEN GRANICUS, INC. AND THE CITY OF PEMBROKE PINES TO PROVIDE RECURRING REAL-TIME CLOSED CAPTIONING FOR A YEARLY COST OF \$12,600 AND TO ALSO ENTER INTO AN AGREEMENT BETWEEN GRANICUS, INC. AND THE CITY TO ADD CLOSED CAPTIONING TO THE PAST 2 YEARS OF COMMISSION MEETING AND COMMISSION WORKSHOP VIDEO AT AN ESTIMATED COST NOT TO EXCEED \$40,320 IN THE BEST INTEREST OF THE CITY PURSUANT TO SECTION 35.18(C)(8) OF THE PROCUREMENT CODE.

SUMMARY EXPLANATION AND BACKGROUND:

1. On October 05, 2016 the City Commission approved an agreement between the City and Granicus, Inc. as the sole source provider of Legistar pursuant to SEC. 31-18(c)(3) of the City's Code of Ordinances, to upgrade the City's Legistar 4.8 to L-5 Hosted Upgrade and Live/On-Demand Streaming and Indexing Solution.
2. On December 20, 2016, the City entered into the First Amendment of the agreement between the City and Granicus, Inc. in order to add the SDI Encoder for HD Streaming.
3. The compensation of the contract was amended to include an additional \$200 per month.
4. The City would like to enter into a second amendment to the original agreement which will allow Granicus, Inc. to provide the module for Closed Captioning for an additional cost of \$12,600 a year.
5. In Addition, the City would also like to go back two years and add closed captioning to all Commission Meetings and Commission Workshops. This work can be performed by Granicus, Inc. for estimated cost not to exceed \$40,320.
6. Per Florida Statute 106.165 "Use of closed captioning and descriptive narrative in all television broadcasts." Each candidate, political party, affiliated party committee, and political committee must use closed captioning and descriptive narrative in all television broadcasts regulated by the Federal Communications Commission that are on behalf of, or sponsored by, a candidate, political party, affiliated party committee, or political committee or must file a written statement with the qualifying officer setting forth the reasons for not doing so. Failure to file this statement with the appropriate qualifying officer constitutes a violation of the Florida Election Code and is under the jurisdiction of the Florida Elections Commission.
7. Per Section 79.1 of the "Electronic Code of Federal Regulations", Video programming distributors must ensure that 100% of new, nonexempt English language and Spanish language video programming that is being distributed and exhibited on each channel during each calendar quarter is closed captioned.

8. The City Clerk's Department has determined it would be in the best interest of the City to move forward with adding closed captioning services through Granicus Inc.

9. Section 35.18(C)(8) Best interest of the City states "Purchases of and contracts for commodities or services are exempt from this section when the City Commission declares by a simple majority affirmative vote that the process of competitive bidding and competitive proposals is not in the best interest of the City. The City Commission shall make specific factual findings that support its determination, and such contracts shall not be placed on the City Commission consent agenda."

10. Below are the factual findings:

- The City is currently a user of the Granicus product.
- Granicus provides the City's agenda management solution as well as live/on-demand streaming and indexing.
- Florida Statute 106.165 requires the use of closed captioning in all television broadcasts.
- Section 79.1 of the eCFR requires the use of closed captioning on distributed video programming.

11. Recommend Commission ratify the City Manager's approval to enter into the second amendment of the agreement between Granicus, Inc. and the City of Pembroke Pines to provide recurring real-time closed captioning for yearly cost of \$12,600 and to also enter into an agreement between Granicus, Inc. and the City to add closed captioning to the past 2 years of Commission Meeting and Commission Workshop video at an estimated cost not to exceed \$40,320 in the best interest of the City pursuant to section 35.18(C)(8) procurement code.

FINANCIAL IMPACT DETAIL:

a) Initial Cost: \$49,770 (Only \$9,450 will be needed for the remaining 9 months of the fiscal year for the \$12,600 yearly amount)

b) Amount budgeted for this item in Account No: Not budgeted

c) Source of funding for difference, if not fully budgeted: Upon Commission approval \$49,770 will be transferred from the General Fund Contingency (1-519-800--30010) to I.T. Maintenance contracts (1-519-1001--46801).

	Current FY	Year 2	Year 3	Year 4	Year 5
Revenues	\$0	\$0			
Expenditures	\$49,770	\$12,600			
Net Cost	\$49,770	\$12,600			

e) Detail of additional staff requirements: Not Applicable.