

City of
Bellevue



◆ Post Office Box 90012 ◆ Bellevue, Washington ◆ 98009 9012 ◆



Recording Cover Sheet

To: King County Recorder's Office
From: City of Bellevue City Clerk's Office
P.O. Box 90012
Bellevue, WA 98009-9012
Date: September 23, 2005
Subject: Inter Local Agreement Filing

01-31-2007 ©
1) is in ALPHA
2) added to ECM
3) removed from Tdrive

The following legislation and attached agreement are included for filing with King County Record's Office per RCW 39.34.040.

Government Agency:	City of Bellevue
Interlocal Agreement Participants:	eCityGov Alliance
Adopting Legislation:	Ordinance 5617
Clerk's Receiving Numbers:	CR# 37955
Description:	Executive Support Services
Recording Fee	\$33.00

AGREEMENT FOR EXECUTIVE DIRECTOR SERVICES
FOR THE eCITYGOV ALLIANCE

CR# 37955 DATE 08-02-05 LOC 05-634 - ORD 5617

This Agreement is made between the City of Bellevue (hereinafter the "City") and the eCityGov Alliance (hereinafter the "Alliance").

Whereas, the City and the Alliance desire to contract for the provision of executive director support services for the Alliance:

Now, Therefore, the parties hereto agree as follows:

1. ASSIGNMENT OF STAFF MEMBERS

Effective July 1, 2005 the CITY assigns to the alliance one City employee who will perform for the Alliance executive director services (hereinafter "Executive Director").

2. ADMINISTRATION

The Board Chair of the alliance shall be the Alliance's agent for administering this agreement.

The Assistant Director of the Information Technology Department for the City shall be the City's agent for administering this agreement.

3. STATUS AS CITY EMPLOYEES: SUPERVISION

The Executive Director shall at all times pertinent to this agreement be an employee of the City only. The performance of Executive Director services on behalf of the Alliance shall be under the general direction of the Alliance's Board Chair; however, the staff members shall at all times pertinent to this agreement be subject to, and their employment for all purposes be governed by, the supervision, personnel rules, policies and ordinances of the City.

4. COMPENSATION AND EXPENSE REIMBURSEMENT

The City shall be responsible for payment of staff members' salary and benefits in performing services on behalf of the Alliance currently set at \$116,424. This rate may be adjusted annually in accordance with the City's annual salary and benefit adjustment for its General Employee classification.

The Alliance shall reimburse the City for the Executive Director's services performed under this agreement in accordance with the applicable City-

paid salary rate set forth in the City salary ordinance, including benefit expense.

The City will submit an invoice to the Alliance during the first month of each calendar quarter for the estimated amount of services to be provided during that calendar quarter. The Alliance agrees to pay the City within thirty (30) days following receipt of the invoice. The City will determine the actual salary and benefit expense at the end of each calendar year and adjust the following first quarter estimate for any variance between amount paid based on estimate and actual amount owing.

5. HOLD HARMLESS / INDEMNIFICATION

While performing the Executive Director duties associated with this agreement or while acting on behalf of the Alliance in the performance of any duties, the Alliance shall indemnify and hold the City and its officers, officials and employees harmless from all suits, claims or liabilities for or on account on injuries or damages sustained by any persons or property resulting from the negligent conduct of the Executive Director including reimbursing the City for any claims filed for workers compensation benefits or unemployment security filed by the Executive Director. Similarly, the City shall indemnify and hold the Alliance and its officers, officials and employees harmless from all suits, claims or liabilities for or on account of injuries or damages sustained by any persons or property resulting from the negligent conduct of City staff members in the performance of City duties.

6. TERMINATION

This agreement may be terminated by either party by the delivery to the other of at least ninety (90) days prior notice of termination, in writing, specifying the effective date thereof. If this agreement is terminated, the City shall reimburse that portion of the quarterly payment made pursuant to Section 4 to the Alliance for services not performed on or before the date of termination. The City shall also calculate the actual salary and benefit expense to the date of termination and refund any overpayment made by the Alliance.

7. APPLICABLE LAW

This agreement shall be governed by the laws of the State of Washington, and by the Charters, Ordinances and Resolutions of the parties hereto.

8. AMENDMENTS

The parties hereto expressly reserve the right to modify this agreement. No modification or amendment of the terms of this agreement shall be effective unless in writing and signed by authorized representatives of the parties.

9. ENTIRE AGREEMENT

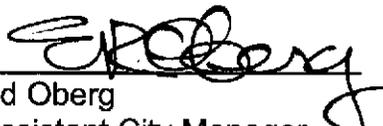
Both parties agree that this agreement is the complete expression of the terms hereto, and that any oral representations or understandings not incorporated herein are excluded.

Agreed to and executed this 12th day of September, 2005

Approved by the City of Bellevue

Approved by the eCityGov Alliance

By


Ed Oberg
Assistant City Manager
Deputy

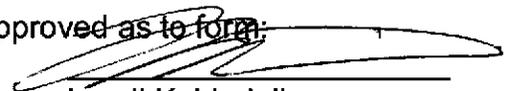
By


Rich Conrad, Chair
Executive Board

Approved as to form:


Jerome Roaché
Assistant City Attorney

Approved as to form:


Londi K. Lindell
Alliance Legal Counsel

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5617

AN ORDINANCE authorizing the City Manager to execute an Agreement with the eCityGov Alliance, to provide executive director services; and creating one additional Fulltime Employee (FTE) in the Information Technology Department to serve in the role of executive director to support the eCityGov Alliance; creating an additional .44 FTE to provide administrative and fiscal management services for ITD in support of regional hosting activities, in accordance with its regional hosting contracts with other entities, including the eCityGov Alliance and Zone 1 agencies; appropriating additional revenues for said services to the Information Technology Fund and increasing the Information Technology Fund appropriation for the 2005-2006 Budget by \$229,379; and amending the Operating Budget adopted pursuant to Ordinance No. 5580.

WHEREAS, the eCityGov Alliance (the Alliance) is a group of cities within King County that have committed to partner together to provide on-line services and information to its customers; and

WHEREAS, the purposes of the Alliance are to provide a regionally coordinated method of delivering municipal services via the Internet, to provide citizens with internet access to a variety of services in a manner that is coordinated among jurisdictions and is low-cost to users, to provide a forum for the sharing of resources in the development and deployment of future online municipal services, and to provide economies of scale from which all jurisdictions benefit; and

WHEREAS, the City of Bellevue is the largest principal and is the lead agency in the Alliance; and

WHEREAS, the City of Bellevue provides staffing services and other resources for the Alliance and is reimbursed for its expenditures; and

WHEREAS, the Alliance has determined the need for an executive director to address the services which the Alliance must provide on an ongoing basis; and

WHEREAS, the Alliance's Executive Board has requested that the City of Bellevue hire and compensate this executive director; and

ORIGINAL

0802-ORD
07/18/05

WHEREAS, the executive director would be assigned to the Executive Board of the Alliance; and

WHEREAS, the Alliance has agreed to reimburse the City of Bellevue for its expenditures related to the executive director; and

WHEREAS, the City of Bellevue provides administrative supports and fiscal management services to other entities, including the Alliance and Zone 1, in accordance with its regional hosting contracts; and

WHEREAS, on-going workload for administrative support and fiscal management services for these entities has grown beyond the capacity of existing staffing levels in ITD; and

WHEREAS, the addition of a .44 FTE is needed in order to continue to provide administrative support and fiscal management services; and

WHEREAS, the City of Bellevue desires to continue to provide staffing services and resources to the Alliance and other entities; and

WHEREAS, the City of Bellevue's operating budget does not include funding for these additional expenditures; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Manager or his designee is authorized to execute an Agreement with the Alliance to provide executive director services to meet the needs of the Alliance. A copy of that Agreement had been given Clerk's Receiving No. 37955.

Section 2. The appropriate administrative officials of the City are hereby authorized to receive monies and to spend the same as authorized in said Agreement.

Section 3. The City Manager or his designee is authorized to create one additional Fulltime Employee (FTE) in the Information Technology Department to serve in the role of executive director to support the eCityGov Alliance.

Section 4. The City Manager or his designee is authorized to create an additional .44 FTE to provide administrative support and fiscal management services for ITD in support of regional hosting activities, in accordance with regional hosting contracts.

ORIGINAL

0802-ORD
07/18/05

Section 5. The approximate amount and sources of revenue for the executive director and support services are:

The Alliance	\$210,940
Hosting & Zone 1 Agencies' Revenues	\$ 18,439

Section 6. Upon execution of said Agreement, the budget for the Information Technology Fund shall be amended by appropriating to that fund additional revenues in the amount of the additional funding and acceptance herein authorized.

<u>Description</u>	<u>Additional Revenues Appropriated</u>
Information Technology Fund	\$229,379

Section 7. Section 2 of Ordinance No.5580, the 2005-2006 Budget Ordinance, is hereby amended by appropriating additional revenue to be received during the current fiscal year to the Information Technology Fund in the amount specified in Section 5 of this ordinance. The source of the said funds, which were not anticipated in the 2005-2006 Information Technology Fund budget, along with the purposes for which they are being appropriated are specified in the agreement referenced in Section 1 of this ordinance.

Section 8. If, in the future, one of these newly created positions has a deficient funding level, that position shall be eliminated

ORIGINAL

Section 9. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

Passed by the City Council this 18th day of July, 2005,
and signed in authentication of its passage this 18th day of July,
2005.

(SEAL)

Connie Marshall
Connie B. Marshall, Mayor

Approved as to form:

Lori M. Riordan, City Attorney

Jerome Y. Roaché
Jerome Y. Roaché, Assistant City Attorney

Attest:

Myrna L. Basich
Myrna L. Basich, City Clerk

Published July 22, 2005

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT:

Ordinance No. 5617 authorizing the City Manager to add 1.0 FTE for the eCityGov Alliance as authorized and fully funded by the Alliance Executive Board and to add 0.44 FTE to provide administrative and billing services for ITD in support of regional hosting contracts with the Alliance, Zone 1 agencies and various entities with whom we have hosting/contracting arrangements.

FISCAL IMPACT

The Alliance 1.0 FTE is fully funded and managed by the eCityGov Alliance. The City of Bellevue is the designated fiscal agent for the Alliance and is responsible for implementing fiscal decisions made by the Executive Board of Directors. The 0.44 FTE is fully funded by administrative overhead charged to external agencies for whom ITD provides contracted services, including the Alliance. The budget would need to be adjusted for the addition of 1.44 FTEs to the ITD budget. No funding or fiscal impact is anticipated from either action.

Analysis of the funding sources and expenditures for these positions will be completed annually. If the funding levels do not support the 1.44 FTE position costs, the positions will be eliminated.

STAFF CONTACT

Toni Cramer 425.452.2972
Denise Ritthaler 425.452.6978

POLICY CONSIDERATION

The role of fiscal agent is one which the City performs for a number of regional partnerships, including the Eastside Public Safety Communications Agency (EPSCA), Regional Coalition for Housing – ARCH, Zone 1 Public Safety Wireless Project and the eCityGov Alliance.

The Executive Board of the eCityGov Alliance has approved the creation of a 1.0 new regular executive director position. In addition, on-going workload for administrative support and fiscal management for Zone 1 Dispatch and the eCityGov Alliance has grown beyond the capacity of existing staffing levels in ITD. Staff is recommending the addition of a .44 FTE for support services to manage billing, maintain rate models, prepare budget and conduct ongoing fiscal monitoring and reporting for these external clients.

BACKGROUND

As the fiscal agent, the city is responsible for providing financial systems support and staffing for EPSCA, ARCH, Zone 1 Public Safety Wireless and the eCityGov Alliance. Normally requests for budget adjustments and resources are managed through the bi-annual budget process. In this case, the additional workload and revenue have converged outside of the City's normal budget process.

Historically, ITD has routinely reallocated workload, utilized contract services and/or limited term employees to ensure adequate resource levels and make the most efficient use of staff resources to support these regional agencies. The growth of the subscriber base within the Alliance and the addition of Zone 1 agencies via Interlocal to the Public Safety Wireless project have created an ongoing workload that can no longer be effectively managed with temporary resources.

As a result of selling increasing amounts of staffing capacity to the Alliance, ITD has set aside most of the internal coordination project role, marketing and development/ implementation of business models related to Bellevue's participation in regional projects and to our desire to develop revenue streams from leveraging existing infrastructure, hosting applications and offering services to smaller cities and to regional entities. The move to New City Hall, for example, creates a number of opportunities to develop and offer data center, backup and recovery services. The capacity that would have developed and marketed this service line has been temporarily diverted to meet Alliance needs pending creation of a position for the Alliance. This is one of many examples of initiatives that have been put on hold as the capacity needs of the Alliance have incrementally increased over the past year.

Benefits to the city through participation in these regional agencies includes:

- Lowered Operational Cost
- Regional Leadership
- Shared Risk
- Customer Convenience
- Leveraged IT Investments
- Increased Capacity and Flexibility

<p>Estimated Annual Savings eCityGov Projects \$187,000</p>
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On March 10, 2005, the Executive Board of the eCityGov Alliance adopted a revised 2005-06 budget and revenue forecast that included a new executive director position. The budget includes ongoing revenue to pay to Bellevue for overhead as the fiscal agent for the organization. That revenue would be combined with the administrative overhead being charged to Zone 1 public safety wireless customers and used to fund the 0.44 FTE requested. The effective date for the addition of the positions is July 1, 2005.

EFFECTIVE DATE

If adopted, this Ordinance becomes effective on JULY 27, 2005.

OPTIONS

1. Adopt Ordinance No. 5617 authorizing the City Manager to add 1.44 FTEs.
2. Do not adopt Ordinance No. 5617, and provide alternate direction to staff. Alternate direction could include that the City of Bellevue request that the Alliance appoint a different partner city as its fiscal agent.

RECOMMENDATION

Move to adopt Ordinance No. 5617

MOTION

Move to adopt Ordinance No. 5617 authorizing the City Manager to add 1.44 FTEs.

ATTACHMENTS

Proposed Ordinance No. 5617

AVAILABLE IN COUNCIL OFFICE

Agreement for Executive Director Services for the eCityGov Allinace

eCityGov Projects
City of Bellevue Savings

	<u>ePermitting.com</u>	<u>NWProp.net</u>	<u>Regional Browser</u>	<u>Total</u>
Bellevue Only Costs				
Initial One-time & Ongoing	\$ 166,000	\$ 49,000	\$ 25,000	
Regional Bellevue Costs				
Initial One-time & Ongoing	<u>45,000</u>	<u>8,000</u>	<u>-</u>	
Estimated Annual Savings	\$ (121,000)	\$ (41,000)	\$ (25,000)	\$ (187,000)

City of Bellevue - eCityGov Projects
Estimated Annual Savings

ePermitting ^(a)

	2001	2002	2003	2004	Total	4 Year Avg
Bellevue Only Costs	\$ 106,000	\$262,000	\$ 146,000	\$ 149,000	\$663,000	
Regional Costs	45,000	45,000	45,000	45,000	180,000	
Net (Savings)	(61,000)	(217,000)	(101,000)	(104,000)	(483,000)	\$(121,000)

NWProp.net ^(b)

	2004	2005	2006	2007	Total	4 Year Avg
Bellevue Only Costs	\$ 64,000	\$ 44,000	\$ 44,000	\$ 44,000	\$196,000	
Regional Costs	13,000	6,000	6,000	6,000	31,000	
Net (Savings)	(51,000)	(38,000)	(38,000)	(38,000)	(165,000)	\$(41,000)

Regional Browser ^(c)

	2005	2006	2007	2008	Total	4 Year Avg
Bellevue Only	\$ 40,000	\$ 20,000	\$ 20,000	\$ 20,000	\$100,000	
Regional Costs	-	-	-	-	-	
Net (Savings)	(40,000)	(20,000)	(20,000)	(20,000)	(100,000)	\$(25,000)

Total Estimated Annual Savings **\$(187,000)**

^(a) Bellevue Only Costs per Cost/Benefit Analysis, Operating Budget Investment 01-02 Budget On-Line Permitting. Regional Costs = 50% of eGov Alliance base annual membership fee.

^(b) Bellevue Only Costs Yr 1 - 1X (\$64K). Subsequent years include ongoing costs (\$44K). Regional Costs Yr 1 - 1X (\$13K). Subsequent years include ongoing costs \$6K.

^(c) Bellevue Only Estimated Costs Yr 1 - 1X (\$40K). Subsequent years include ongoing costs \$20K. Regional Estimated Costs Yr 1 ongoing - Dividends received from Alliance.

CITY OF BELLEVUE
 Finance - Contracting Services
 425-452-7876

CONTRACT ROUTING/APPROVAL

CURRENT CONTRACT INFORMATION:

Contract Title Agreement for Executive Director Services for the eCityGov Alliance
Contract Description Executive Director Services for eCityGov Alliance
Total Aggregate Value \$116,424.00 (na? - Revenue Contract)
(Includes orig. + prev. amends + new amend)
New Amendment Value N/A
Budget Impact Revenue Contract
Department Information Technology
Contract Manager 1: John Backman **2:** N/A
Contract Manager has the authority to approve invoices for payment on this contract.
Contract Type Other
Contract Form Custom contract document

Additional Comments

Revenue contract - Routing for signatures only. eCityGov Alliance Board approved this agreement on 7/14/05. Signatures to be obtained after COB's signatures. Agreement pertains to Ordinance going to Council for approval on 7/18/05.
 Contract type - Agreement developed by Jerome Roache.

Does the contractor meet criteria listed on the data entry screen? If no, independent contractor checklist should be attached.

N/A Yes No ND

VENDOR INFORMATION:

Vendor Name eCityGov Alliance
Existing Vendor? No
JDE Vendor Number 74914
Tax ID # N/A **COB Bus. License #** N/A
(CS to complete)
UBI # (if known) N/A

CONTRACT TERMS:

Effective Date 7/1/2005
End Date 7/1/2006. *more. can be termed in writing.*
Subject To Other

RELATED CONTRACT INFORMATION:

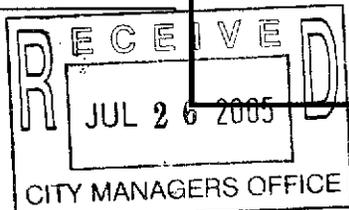
Is this a Renewal/Amendment? No **Received**
Amendment #: N/A **JUL 18 2005**
Orig. Clerk's Receiving Number N/A **Contracting Services**
Orig. Contract Value N/A
(w/o amendments)
Total Value of Previous Amends. N/A

SELECTION METHOD:

Please provide explanation of process in add'l comments
Process No Competitive Process
Method Sole Source Selection
Bid / RFP / RFQ / ITQ # na

COUNCIL APPROVAL

Council Award Date N/A - 7/18/05
Ordinance # N/A - 5617
Resolution # N/A



ROUTING & APPROVAL

Authorized Department Signature Michael Siff
 Information Technology
Date 7-15-05 **Title** Asst Dir, IT
ROUTE: In Out
CONT SVCS John Li 7/10 7/19
ITD NOT REQUIRED
LEGAL Jerome Roache 7/19
INSURANCE REVWD BY: Joanne Nicolai 7/19 7/20
CMO (Req'd) ERO (mi) 7/26 7/26
CCO Chaugen 07-27 08-02
CONT SVCS
Return To: ~~John Backman~~
 Nina Dennis x 6126

CONTRACT REVIEW CRITERIA

CR# 37955

Contract Title Agreement for Executive Director Services for the eCityGov Alliance

Vendor Name eCityGov Alliance

DEPT (1) CONTRACTING SERVICES

- a) Does the Contract Routing/Approval Form and Contract have consistent information?
- b) Is the Contract Type and template appropriate for the services performed? *custom form*
- c) Are the Contract Values (i.e.: aggregate values, yearly budget totals, taxable amounts, acct numbers, etc.) accurate?
- d) Is the JDE vendor name & number accurate? _____
- N/A* e) Does Contractor have a Bellevue Business License? If not, date Tax Office was notified:
- f) Do the Contract Start/End Dates comply with current policies (maximum 4 years unless exception noted)? *No end date*
- N/A* g) Is this an amendment or renewal? If so, are the original contract #s and values indicated?
- N/A* h) Has the Selection Method been explained in Additional Comments? Are results attached?
- i) Is there an ordinance/resolution/motion for this contract? If so, is date and # noted? Is copy attached? *yes*
- N/A* j) Does the contractor meet requirements of the Independent Contractor Threshold question?
- N/A* k) Is Attachment "A" (Scope of Work and/or Services) attached?
- N/A* l) Is Attachment "B" (Insurance Requirements) attached?
- N/A* m) Does the Contractor's Certificate of Insurance meet Attachment "B" requirements?
- N/A* n) Is the City of Bellevue (& contracting partners) listed as an additional insured on the Certificate of Insurance?
- N/A* o) Are the policy expiration date(s) on the Certificate of Insurance current?
- N/A* p) Is the contract exempt from paying Prevailing Wages? If not, are current Wage Rates attached in Attachment "C"?
- N/A* q) Does the Contractor have an open account with the Washington State Dept. of Revenue?
- N/A* r) Are the Contractor's worker's comp premiums current?
- N/A* s) Does the Vendor have an active Professional License with the Washington State Dept of Licensing?

(2) INFORMATION TECHNOLOGY DEPARTMENT (if applicable):

- a) Do the technology components meet the enterprise technology standards for the City?
- b) Does the purpose of the contract comply with the City's IT strategic plan?
- c) Has ITGC approved the project?
- d) Are the vendors IT City qualified vendors for technology work?

Received

JUL 18 2005

Contracting Services

(3) RISK MANAGEMENT:

- a) Are the Insurance Requirements (Attachment B) appropriate for Scope of Work? *No insur. requirements*
- b) Does the contractor's Certificate of Insurance comply with the requirements?
- c) Are there any Limitations of Liability clauses or other risk transfer language problems that shift risk back to the City? *No*
- d) Does the Hold Harmless clause include language referencing Title 51 releases? *No*

(4) CITY ATTORNEY'S OFFICE:

- a) Has the Contractor signed all originals and initialed any proposed changes to standard language?
- b) Are contract terms and conditions consistent throughout entire contract?
- c) Are there any unlawful provisions?

(5) CITY MANAGER'S OFFICE:

- a) Does contract meet overall consistency with City contracting policy, budget, etc.?

2.00.100104

CONTRACT ROUTING/APPROVAL SUMMARY
ALPHA CON001

NOTE: This page MUST accompany all contracts being routed for approval.
Contracts lacking this page will be considered incomplete and will be returned to the
originating department.

JDE BUDGET INFORMATION:

Line No	Description	CIP No. (if)	GL Date	AccountNo	Subtotal	Taxable? (enter)	Total
1	Executive Dir Services	na		81500.338180.0000	\$116,424.00	No	\$116,424.00
				REVENUE CONTRACT		No	

FOR CITY CLERK'S OFFICE USE:

Received

Vendor Number # 74914

JUL 18 2005

Vendor Name eCityGov Alliance

Contracting Services

Start Date 7/1/2005

End Date ~~7/1/2005~~ none, does not apply

Contract Type Other

Bid / RFP / RFQ / ITQ # na

Amendment / Renewal? No Amend #: N

Original Contract # N/A

Ordinance # N/A Resolution # N/A

Council Bid Award Date 7/18/05 N/A

Selection Method Sole Source Selection

Document Value: \$116,424.00

Department Information Technology

Contract Description Executive Director Services for eCityGov Alliance