



## Legislation Text

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**File #:** 19-0358, **Version:** 1

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### PROPOSED CONTRACT

**Department(s):** Department of Permits, Rentals and Concessions

**Vendor:** Active Network, Dallas, Texas

**Request:** Authorization for the Forest Preserves of Cook County (the "Forest Preserves") to enter into and execute

**Good(s) or Service(s):** Software contract for permit reservations and membership sales

**Contract Value:** \$205,000.00

**Contract period:** 10/22/2019 - 12/31/2021; and four (4) two-year extension options to be exercised at the discretion of the General Superintendent.

**Estimated Fiscal Impact:** FY 2019 \$35,000.00, FY 2020 \$35,000.00, FY 2021 \$15,000.00, FY 2022 \$15,000.00, FY 2023 \$15,000.00, FY 2024 \$15,000.00, FY 2025 \$15,000.00, FY 2026 \$15,000.00, FY 2027 \$15,000.00, FY 2028 \$15,000.00, FY 2029 \$15,000.00 plus transaction fees ranging from 2.25% to 3%

**Accounts:** Professional Services 51001.520850

**Contract Number(s):** Contract #74000006620 issued under Request for Proposal #18-40-566

#### Concurrences:

The Chief Financial Officer has approved this item. Final agreement is subject to legal review and approval.

The contract-specific MWBE goal for this contract was set at zero.

**District(s):** Districtwide

**Summary:** The Forest Preserves originally entered into a contract with Active Network to provide permit reservation services in 2013 and launched the system on 1/1/2014. The current contract expires on 12/31/2019. In spring 2019, the Forest Preserves issued a competitive RFP to select a new software provider and again selected Active Network as the most responsive of the six (6) proposals.

This proposed new contract will allow the Forest Preserves to continue utilizing Active Network for permit reservations and membership sales; however, the Permits, Rentals and Concessions Department intends to rebuild the existing permit reservation interface to increase efficiency and customer satisfaction by utilizing map reservation and other new features. The new system will be launched before 2021 permit sales begin. The fiscal impact includes \$70,000.00 for consultant support to rebuild the system in 2019 and 2020. Funding in subsequent years will be used to upgrade outdated equipment, including credit card readers, and for consulting optimization services. The proposed fiscal impact excludes transaction fees which are in the range of 2.25% to 3% (lower than the current contract).

Software agreements are often form agreements that apply to a general class of customer, which is the case here as well.

Thus, the proposed new contract includes some non-standard provisions for the Forest Preserves. The RFP called for a four (4) year contract with two (2) optional two-year extensions; however, this term has been modified to a two (2) year contract with four (4) optional two-year extensions. While Active Network's hourly consultant rates to the Forest Preserves are not fixed, Active Network has agreed not to modify the transaction fees during the initial term and the first two-year extension option. The Forest Preserves will be subject to an early termination fee if it terminates the contract for convenience during the initial term or during a renewal term. The contract will be governed by a state law other than Illinois law (similar to the current contract with Active Network). The final agreement will be subject to legal review and approval. Finally, the Forest Preserves' current contract with Active Network will terminate upon the Forest Preserves execution of this proposed new agreement with Active Network.