

solicitation; and,

WHEREAS, contract number 432814 is set to expire on August 17, 2023; and

WHEREAS, the parties wish to replace the expiring contract, contract 432814, with the sole source contract annexed hereto as Exhibit A; and,

WHEREAS, the term of the sole source contract annexed hereto as Exhibit A exceeds a period of sixty months; and,

WHEREAS, Section 4.12.160(B) of the Metropolitan Code of Ordinances calls for Council approval of contracts for supplies or services “with terms exceeding a period of sixty months, either initially or by virtue of amendments, renewals or extensions thereof”; and,

WHEREAS, the total contract amount of the sole source contract annexed hereto as Exhibit A is in excess of two hundred fifty thousand dollars (\$250,000.00); and,

WHEREAS, Section 4.12.060(C) of the Metropolitan Code of Ordinances calls for Council approval by Resolution of sole source contracts “with a total contract amount in excess of two hundred fifty thousand dollars (\$250,000.00)”; and,

WHEREAS, it is to the benefit of the citizens of The Metropolitan Government of Nashville and Davidson County that the sole source contract annexed hereto as Exhibit A, which would replace the expiring contract (contract number 432814) be approved.

NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the sole source contract between the Metropolitan Government of Nashville and Davidson County and Net Tango, Inc., a copy of which is attached hereto as Exhibit A and incorporated herein, to provide website maintenance and development support for Metro’s website, Nashville.gov, and for other Metro governmental agency or department websites, as needed, and which will replace the expiring contract between the parties (contract number 432814) is hereby approved, and the Metropolitan Mayor is authorized to execute same.

Section 2. That this Ordinance shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance approves a sole source contract between the Metropolitan Government and Net Tango, Inc. for the purpose of website maintenance and developmental support for Nashville.gov, the Nashville Public Library website, and other departmental websites. The contract term is five years beginning upon the date the contract is approved by all parties and filed in the Metropolitan Clerk’s Office. As amended, the Metropolitan Government would have the option to extend the contract by an additional five years if desired. The estimated contract value is \$10,000,000.

Section 4.12.060 of the Metropolitan Code of Laws authorizes the Metropolitan Purchasing Agent to enter into sole source contracts when the Purchasing Agent determines in writing according to standards adopted by the Procurement Standards Board that there is only one source for the supply or services required. Sole source contracts with a total contract value over \$250,000 must be approved by the Council. Sole source contracts are generally approved by resolution, however, contracts with a term exceeding sixty months must be

approved by ordinance.

According to the sole source justification form, Net Tango possesses in-depth critical experience and the propriety knowledge of the Metropolitan Government's websites. Net Tango developed the previous and current versions of Nashville.gov and its related content management system ("CMS"), heavily customized the CMS, and works with the Metropolitan Government in maintaining its current websites. Net Tango was previously awarded two competitive Requests for Proposals ("RFPs") for five-year contracts prior to this sole source request.

Fiscal Note: The estimated value of this sole source contract no. 6528123 is \$10,000,000 to be paid from Fund No. 51137, Business Unit No. 14521021 to Net Tango, Inc. This contract is for the re-design of the Metro's website Nashville.gov, maintenance and development support. Net Tango's hourly rate for the following service categories is \$155/hour for design, development, project and account management, and \$310/hour for emergency support-after hours.