



COUNCIL MEETING DATE: July 11, 2022

TO: President Heather Graham and Members of City Council

CC: Nicholas A. Gradisar, Mayor

VIA: Marisa Stoller, City Clerk

FROM: Andrew E. Hayes, P.E., Director of Public Works

SUBJECT: A RESOLUTION ESTABLISHING PROJECT CI2210, PUBLIC WORKS ASSET MANAGEMENT PROJECT, TRANSFERRING FUNDS IN THE AMOUNT OF \$145,000 FROM THE PUBLIC WORKS OPERATING BUDGET FOR CONTRACT SERVICES, TRANSFERRING FUNDS IN THE AMOUNT OF \$162,829.21 FROM PROJECT ACCOUNT HUAN01, STREET RESURFACING, APPROVING AMENDMENT NO. 1 TO THE MASTER SUBSCRIPTION AGREEMENT IN THE AMOUNT OF \$144,448.74 BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND BRIGHTLY SOFTWARE, INC., A NORTH CAROLINA CORPORATION, FORMERLY DUDE SOLUTIONS, INC., FOR PROJECT NO. 21-041 PUEBLO STREET ASSESSMENT PROJECT, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

SUMMARY:

This Resolution establishes project CI2210, Public Works Asset Management Project, transfers \$145,000 from the Public Works Operating Budget for Contract Services, transfers \$162,829.21 from Project No. HUAN01 – Street Resurfacing, approves Amendment No. 1 to the Master Subscription Agreement awarded to Brightly Software, Inc., formerly Dude Solutions, Inc., in the amount of \$144,448.74 for Project No. 21-041 Pueblo Street Assessment Project.

PREVIOUS COUNCIL ACTION:

Resolution 14728, dated October 12, 2021, approved a Master Subscription Agreement for Software License with Dude Solutions, Inc. for \$162,829.21.

BACKGROUND:

The City of Pueblo solicited requests for proposals for contract services to evaluate the City's streets for condition and drivability. Additionally, proposers were requested to recommend a Pavement Management Software solution to assist the City with capital

expenditure budgeting and project planning. Dude Solutions, Inc. was selected as the lowest, most responsive bid for the software agreement for the street assessment data and was awarded a Master Subscription Agreement.

The proposed amendment amends all Agreement documents to replace Dude Solutions, Inc., with the current company name of Brightly Software, Inc., Amendment No. 1 also provides for a modification to the original cost breakdown, with credits applied, towards the purchase of an upgraded software module for the City of Pueblo facilities asset management. Because the software solution is for both street and facilities asset management, this software can no longer be paid from the Street Resurfacing Project, HUAN01. This Resolution transfers the funds used for the street asset management portion of the project from the Street Resurfacing Project and transfers the funds used for the facilities asset management portion of the project from the Public Works operating budget for contract services.

FINANCIAL IMPLICATIONS:

Funds in the amount of \$162,829.21 shall be transferred from Project No. HUAN01, Street Resurfacing to Project No. CI2210, Public Works Asset Management Project.

Funds in the amount of \$145,000 shall be transferred from the Public Works operating budget for contract services to Public Works Asset Management Project, No. CI2210.

Funds in the amount of \$144,448.74 shall be paid from the Public Works Asset Management Project, No. CI2210.

BOARD/COMMISSION RECOMMENDATION:

Not applicable to this Resolution.

STAKEHOLDER PROCESS:

Not applicable to this Resolution.

ALTERNATIVES:

Denial of this Resolution will result in the delay of the Project.

RECOMMENDATIONS:

Approve the Resolution.

Attachments:

Proposed Resolution

Proposed Amendment No. 1

RESOLUTION NO. 14932

A RESOLUTION ESTABLISHING PROJECT CI2210, PUBLIC WORKS ASSET MANAGEMENT PROJECT, TRANSFERRING FUNDS IN THE AMOUNT OF \$145,000 FROM THE PUBLIC WORKS OPERATING BUDGET FOR CONTRACT SERVICES, TRANSFERRING FUNDS IN THE AMOUNT OF \$162,829.21 FROM PROJECT ACCOUNT HUAN01, STREET RESURFACING, APPROVING AMENDMENT NO. 1 TO THE MASTER SUBSCRIPTION AGREEMENT IN THE AMOUNT OF \$144,448.74 BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND BRIGHTLY SOFTWARE, INC., A NORTH CAROLINA CORPORATION, FORMERLY DUDE SOLUTIONS, INC., FOR PROJECT NO. 21-041 PUEBLO STREET ASSESSMENT PROJECT, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

WHEREAS, Project No. 21-041 (HUAN01), Street Resurfacing Project was awarded to Dude Solutions, Inc., on October 12, 2021, and

WHEREAS, the City of Pueblo and Brightly Software, Inc., formally Dude Solutions, Inc., desire to modify the Agreement; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF PUEBLO, that:

SECTION 1.

Capital Project No. CI2210, Public Works Asset Management Project, is hereby established.

SECTION 2.

Funds in the amount of \$145,000.00 shall be transferred from the 2022 Public Works operating budget, Contract Services, to Project No. CI2210, Public Works Asset Management Project.

SECTION 3.

Funds in the amount of \$162,829.21 shall be transferred from Project No. HUAN01, Street Resurfacing Project, to Project No. CI2210, Public Works Asset Management Project.

SECTION 4.

Amendment No. 1 to the Master Subscription Agreement ("Amendment"), by and between the City of Pueblo, A Municipal Corporation, and Brightly Software, Inc., a North Carolina Corporation, a copy of which is attached hereto, having been approved as to form by the City Attorney, is hereby approved, and City Council authorizes the additional work contemplated by the Amendment to be performed in the amount of \$144,448.74.

SECTION 5.

Funds in the amount of \$144,448.74 for said Amendment shall be paid from the Project No. CI2210, Public Works Asset Management Project.

SECTION 6.

The Purchasing Agent is hereby authorized to execute said Amendment on behalf of the City of Pueblo, A Colorado Municipal Corporation, and the City Clerk shall affix the seal of the City thereto and attest the same.

SECTION 7.

The officers and staff of the City are authorized to perform any and all acts consistent with this Resolution and the attached Amendment to implement the policies and procedures described herein.

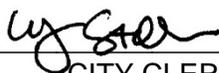
SECTION 8.

This Resolution shall become effective immediately upon passage and approval.

INTRODUCED July 11, 2022

BY: Dennis E. Flores
MEMBER OF CITY COUNCIL

APPROVED: 
PRESIDENT OF CITY COUNCIL

ATTESTED BY: 
CITY CLERK