**RESOLUTION 2015**

**PIGGYBACK CONTRACT BETWEEN THE STATE OF FLORIDA AND SHI**

**FOR MICROSOFT SOFTWARE AND LICENSING**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF THE PIGGYBACK CONTRACT BETWEEN THE STATE OF FLORIDA AND SHI FOR MICROSOFT SOFTWARE AND COMPUTER LICENSING; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE NECESSARY DOCUMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** SHI, a Microsoft entity, has expressed a desire to provide Microsoft software and licensing to the City of Palm Coast; and

**WHEREAS,** the City Council of the City of Palm Coast desires to piggyback the contract between the State of Florida and SHI for the above referenced services.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM COAST, Florida, AS FOLLOWS:**

**SECTION 1. APPROVAL OF PIGGYBACKING AGREEMENT.** The City Council of the City of Palm Coast hereby approves the terms and conditions of the piggyback contract between the State of Florida and SHI for a Microsoft software and licensing, as attached hereto and incorporated herein by reference as Exhibit “A.”

**SECTION 2. AUTHORIZATION TO EXECUTE.** The City Manager, or designee, is hereby authorized to execute the Agreement as depicted in Exhibit "A."

**SECTION 3. Severability.** If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

**SECTION 4. Conflicts.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

**Section 5. IMPLEMENTING ACTIONS.** The City Manager is hereby authorized to take any actions necessary to implement the action taken in this Resolution. This power is delegable only and solely to the Assistant City Manager.

**SECTION 6.** **EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption by the City Council.

**DULY PASSED AND ADOPTED** by the City Council of the City of Palm Coast, Florida, on this 20th day of October 2015.

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|  | CITY OF PALM COAST, FLORIDA |
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| ATTEST: | Jon Netts, Mayor |
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|  |
| Virginia A. Smith, City Clerk |  |

Attachment: Exhibit A – Microsoft Enterprise Agreement with SHI

Approved as to form and legality

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William E. Reischmann, Jr., Esquire

City Attorney