



## Legislation Details (With Text)

**File #:** O-102-21      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Approved  
**File created:** 2/16/2021      **In control:** Economic Development Department  
**On agenda:** 3/2/2021      **Final action:** 3/2/2021  
**Title:** Authorizing the mayor to enter into an implementation and subscription agreement with Open Counter Enterprises, Inc. for the OpenCounter Business Portal, Residential Portal and ZoningCheck Platform; waiving competitive bidding requirements of TMC Chapter 187; authorizing the expenditure of an amount not to exceed \$124,113 from the General Fund; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Talking Points, 2. Sole Source Documentation

Date	Ver.	Action By	Action	Result
3/2/2021	1	City Council		
3/2/2021	1	City Council		
3/2/2021	1	City Council		

OpenCounter  
Economic Development  
Spang (x1614)  
Revised

**Authorizing the mayor to enter into an implementation and subscription agreement with Open Counter Enterprises, Inc. for the OpenCounter Business Portal, Residential Portal and ZoningCheck Platform; waiving competitive bidding requirements of TMC Chapter 187; authorizing the expenditure of an amount not to exceed \$124,113 from the General Fund; and declaring an emergency.**

**SUMMARY & BACKGROUND:**

This ordinance authorizes a one-year agreement with an option to renew for two additional years, for the OpenCounter Business Portal, Residential Portal and ZoningCheck. The Business Portal demonstrates to entrepreneurs the costs and requirements of starting a business or completing a development project. The Residential Portal Shows homeowners how to comply with code and permit requirements for home improvement projects. ZoningCheck aids applicants in understanding how the zoning code will impact site selection and project requirements.

The amount requested for the OpenCounter includes implementation costs of \$26,663.50 and annual subscription costs of \$96,450. Funds were included in the 2021 General Fund Budget for this purpose.

The fiscal impact of this ordinance is as follows:

- The total amount of funds requested: \$124,113.
- The expenditure budget line item: 1001-16400-5661001STDSTD

- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no) \$100,000 was included in the 2021 budget for this year's cost; and the remaining \$24,113 will be included in next year's operating budget
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)? new
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) yes
  - o Environment (yes/no) yes

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That the Mayor is authorized to enter into an implementation and subscription agreement with Open Counter Enterprises, Inc. for the OpenCounter Business Portal, Residential Portal and ZoningCheck for one-year with an option to renew for two additional years, upon such terms and conditions as approved by the Directors of Economic Development, Information & Communication Technology and Law.

SECTION 2. That this Council finds it is in the best interest of the City to waive the competitive procurement requirements of TMC Chapter 187 for the reason that Open Counter Enterprises, Inc. is currently the sole source provider of a location aware scoping tool commercially available to local governments and it will integrate with the City's existing permitting and licensing platforms.

SECTION 3. That the expenditure of an amount not to exceed \$124,113 is authorized from the General Fund Account Code 1001-16400-5661001STDSTD subject to appropriation in future years with annual payments authorized according to the following schedule:

April 1, 2021 to December 31, 2021 - \$100,000  
January 1, 2022 to March 31, 2022 - \$24,113

SECTION 4. That the Finance Director is authorized to draw warrant or warrants against the above account code in amounts not to exceed those authorized above in payment of the above authorized obligations upon presentation of the proper voucher or vouchers.

SECTION 5. That this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage. The reason for the emergency lies in the fact that this ordinance is necessary for the immediate preservation of the public peace, health, safety and property, and for the further reason that this ordinance must be immediately effective in order to timely implement OpenCounter and improve permitting services city-wide.

Vote on emergency clause: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Passed: \_\_\_\_\_, as an emergency measure: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_  
\_\_\_\_\_ Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council  
\_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council