ORDINANCE NO. 012-57

AN ORDINANCE AUTHORIZING THE PROCUREMENT OF TEXT MESSAGING SERVICES FROM TEXTMARKS, INC.

WHEREAS, The Authority desires to acquire text messaging services in order to provide Bus Tracker alerts via SMS (Short Message Service) text messages to its customers who subscribe to or request text messages for bus arrival predictions; and

WHEREAS, TextMarks, Inc. is the developer, manufacturer and copyright holder of the text messaging services currently used by the Authority; and

WHEREAS, The interface to a text messaging service provider necessary to provide Bus Tracker alerts was developed by Clever Devices pursuant to a contract with the Authority; and

WHEREAS, Clever Devices subcontracted with TextMarks, Inc. to provide text messaging services to the Authority during the development of the Bus Tracker integration system; and

WHEREAS, In order to continue to provide text messaging alerts to its customers, the Authority must contract directly with a text messaging services provider, which must integrate with the API (Application Programming Interface) system developed by Clever Devices; and

WHEREAS, Clever Devices has already completed the necessary work to integrate its API with TextMarks, Inc.; and

WHEREAS, The Authority has already included the dedicated short code information (41411) provided by TextMarks, Inc. for customers to use when requesting bus arrival information through SMS text messaging on bus stop signs throughout its service area to facilitate customer use of text messaging; and

WHEREAS, Changing the text messaging service provider would require the Authority to incur costs to integrate the Clever Devices API with the new provider's service, to change the short code information on bus stop signs throughout its service area, and to inform its customers that a new short code must be used to request Bus Tracker information; and

WHEREAS, Section 1.4D of the Procurement Policy and Procedures provides for the award of contracts without competitive bidding "[w]hen federal funds are not utilized, for such other matters as the Board determines that competitive Bidding is disadvantageous"; now, therefore:

BE IT ORDAINED BY THE CHICAGO TRANSIT BOARD
OF THE CHICAGO TRANSIT AUTHORITY:

SECTION 1. That based on the statements set forth in the preamble of this ordinance, the Transit Board hereby determines that competitive bidding is disadvantageous.

SECTION 2. That the Chairman of the Board, or his designee, is hereby authorized to enter into a contract with TextMarks, Inc., for the procurement of its TextMarks brand text messaging services effective June 10, 2012 through December 31, 2013, in an amount not-to-exceed Three Hundred Twenty Five Thousand Dollars ($325,000.00), under Requisition No. B12OP04016.

SECTION 3. This ordinance shall be in full force and effect from and after its passage.

APPROVED:

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Chairman

May 9, 2012

PASSED:

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Assistant Secretary

May 9, 2012