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**REPORT TITLE:**      **Infrastructure and Engineering Annual Software Subscription, Maintenance and Support, Document 2021-478N**

**FROM:**                      Sean Baird, Commissioner of Service Excellence and Innovation

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## **RECOMMENDATION**

**That a contract (Document 2021-478N) for the Supply of Infrastructure and Engineering Annual Software Subscription, Maintenance and Support be awarded to Bentley Systems, Incorporated in the estimated amount of \$123,000 (excluding applicable taxes) for a contract period of 12-months pursuant to Procurement By-law 30-2018, as amended;**

**And further, that authority be granted to award a contract to Bentley Canada Inc. for professional services to support engineering software upgrades and enhancements as required and subject to approved budget;**

**And further, that authority be granted to renew the contract on an annual basis (or for multiple years at a discounted rate) for ongoing maintenance, support, and to increase the contract for any upgrades, technical support, implementation and additional modules and licenses for the lifecycle of the solution, subject to satisfactory performance, price and approved budget.**

## **REPORT HIGHLIGHTS**

- The Infrastructure and Engineering Software provided by Bentley Systems, Incorporated is currently used by the Region of Peel to produce and deliver engineering drawings to support capital construction projects representing approximately \$500 million dollars annually.
- Various divisions in the Region's Public Works department have been using the Bentley software since 1988 supporting their operational business needs.
- Annual renewals are required to continue receiving maintenance, support, and licensing subscription for the software from the Vendor.
- The software is proprietary to Bentley Systems, Incorporated and licensing, maintenance and support is only available direct from the manufacturer.
- Professional Services for software upgrades and enhancements are conducted by Bentley Canada Inc.; therefore, a separate Purchase Order and approval is required.

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## **DISCUSSION**

### **1. Background**

Bentley Systems, Incorporated is the developer and provider of a drawing and engineering software platform used by Engineering Technical, Water & Wastewater and Roads Transportation divisions in Public Works to produce, prepare and deliver detailed

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engineering design drawings required for tenders to support capital construction projects representing approximately \$500 million dollars annually. Public Works have been using this software platform since 1988 and is a core component to support their operational business needs.

The Region of Peel and Bentley Systems, Incorporated have an existing Select Program Agreement for the subscription to the Bentley Select Program to acquire licensing privileges and services that encompass MicroStation applications, InRoads Survey, OpenRoads Designer, ProjectWise InterPlot and LumenRFT for information modeling and collaboration services to deliver integrated projects, complemented by professional services for enhancements, upgrades and implementations provided by Bentley Canada Inc.

The current one-year term expires on January 31, 2022, and in order to ensure uninterrupted support for the software, approval is requested to renew the support agreement for a period of 12-months with an option to renew annually (or for multiple years at a discounted rate) for as long as the system is required or when a superior solution meeting the Region's requirements is identified through a formal Procurement process.

Bentley Systems, Incorporated is the developer of the software and holds proprietary licensing for all Bentley products and services and has the unique programming and insights to deliver state-of-the-art custom solutions, start-up templates and training services required for the various Public Works divisions that utilize the system. Continued proprietary licensing, maintenance and support is required for the operation of the system. Based on continued successful operation, staff conclude that the continued licensing and support plan of the Vendor is acceptable and provides good value to the Region of Peel.

### **2. Procurement Process**

This is a non-competitive procurement process and requires Regional Council approval. The process to award this contract is in compliance with the Procurement By-law 30-2018.

In accordance with Procurement By-law 30-2018, section 5.2.1 and amending B-law 4-2020, which authorizes the award of direct negotiation procurements for goods and services that are reasonably available from only one source by reason of the scarcity of supply in the market or the existence of exclusive rights held by any vendor or the need for compatibility with goods and services previously acquired and there are no reasonable alternatives or substitutes.

### **FINANCIAL IMPLICATIONS**

There are sufficient funds in the various Operating Cost Centres from Public Works Engineering Technical, Water & Wastewater and Roads Transportation.

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*Authored By: Glenda Baylon, Supervisor, Program Services, Service Excellence & Innovation*