

## **ORDINANCE**

**WHEREAS**, in accordance with the provisions of Article VII, Section 6(a) of the Constitution of the State of Illinois (the “State Constitution”), the City of Chicago (the “City”) as a home rule unit of government may exercise any power and perform any function relating to its government and affairs; and

**WHEREAS**, the Department of Planning and Development (“DPD”) administers various planning, development and zoning processes and desires to increase transparency and accountability with respect to such processes; and

**WHEREAS**, DPD also desires to streamline the City’s development review processes; and

**WHEREAS**, DPD desires to create various web-based applications for public use in furtherance of the above goals; and

**WHEREAS**, DPD desires to enter into an master IT services agreement with DataMade for research, design, development, hosting and support and maintenance services needed to create and maintain such public-facing applications, and DataMade is ready, willing and able to so perform; and

**WHEREAS**, the newly created Department of Technology and Innovation (“DTI”) aims to improve and modernize the City’s technology infrastructure; and

**WHEREAS**, DTI wishes to acquire and implement technological tools to improve City operations and gain knowledge regarding optimal processes and roles for DTI and other City IT personnel; and

**WHEREAS**, DTI desires to enter into a master IT services agreement with DataMade for research, design, development and consulting services with a focus on DTI operations and the City’s use and publication of data; and DataMade is ready, willing and able to so perform.

## **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO**

**SECTION 1.** The above recitals are expressly adopted herein as the legislative findings of the City Council and incorporated herein and made a part of this ordinance.

**SECTION 2.** The Commissioner of the Department of Planning and Development (the “Commissioner”) is authorized to enter into a master agreement for IT services with DataMade, which shall include a task order procedure to be used for IT projects to be undertaken by DataMade. Under such task order procedure, the Commissioner and DataMade will agree, with respect to any such project, on the scope of services for the project, required deliverables, required deadlines for completion, and compensation terms, which may include a fixed price or guaranteed maximum cost methodology, and such other terms that the Commissioner believes are desirable, which shall include, without limitation, M/WBE compliance. DataMade shall perform all such projects pursuant to the terms of the master agreement and relevant task order. The Master Agreement shall conform to the basic parameters set forth in Exhibit 1, which is attached hereto and incorporated herein.

**SECTION 3.** The Chief Information Officer (the “CIO”) is authorized to enter into a master agreement for IT services with DataMade, which shall include a task order procedure to be used for IT projects to be undertaken by DataMade. Under such task order procedure, the CIO and DataMade will agree, with respect to any such project, on the scope of services for the project, required deliverables, required deadlines for completion, and compensation terms, which may include a fixed price or guaranteed maximum cost methodology, and such other terms that the CIO believes are desirable, which shall include, without limitation, M/WBE compliance. DataMade shall perform all such projects pursuant to the terms of the master agreement and relevant task order. The Master Agreement shall conform to the basic parameters set forth in Exhibit 2, which is attached hereto and incorporated herein.

**SECTION 4.** To the extent that any ordinance, resolution, rule, order or provision of the Municipal Code of Chicago (the “Municipal Code”), or part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall control. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance. No provision of the Municipal Code or violation of any provision of the Municipal Code shall be deemed to render voidable at the option of the City any document, instrument or agreement authorized under this ordinance or to impair the validity of this ordinance or the instruments authorized by this ordinance; provided further that the foregoing shall not be deemed to affect the availability of any other remedy or penalty for any violation of any provision of the Municipal Code.

**SECTION 5.** This ordinance shall be in full force and effect upon its passage and approval.