



**ADDENDUM
CITY OF AUSTIN, TEXAS**

Solicitation: RFPJTH0308 Addendum No: 4 Date of Addendum: 9/14/2016

This addendum is to incorporate the following changes to the above referenced solicitation:

I. Clarifications:

II. Questions:

- 7. Q) Are you considering products that are delivered as Software as a Service? Or will you only be considering custom developed enterprise software?
 - A) Yes, we are considering Software as a Service as a possible solution in support of Public Information Requests.
- 8. Q) Reference Supplemental Terms, Section 12-2. Copyright. Software as a Service is usually retained as the software's copyright and intellectual property. No ownership is transferred to the customer. Within this RFP, is the software provided to the City of Austin considered a Deliverable as specified in this section?
 - A) If the City opts for Software as a Service then we understand the software itself is not a deliverable but rather only the services associated with the software. Additionally, the Section 0400 clause on copyrights pertains to software delivered to the City and customized specifically for the City as "work made for hire." Additionally, the Section 0400 Supplemental Terms provides under Section 9 A. that "in the event of termination of this contract, the service provider shall implement an orderly return of City data in a CSV or another mutually agreeable format at a time agreed to by the parties and the subsequent secure disposal of City data." So, what we really do consider our property is the data which, if we terminate this contract, we expect the data to be returned.

III. ALL OTHER TERMS AND CONDITIONS REMAIN THE SAME.

APPROVED BY: James T. Howard 9/8/16
 James T. Howard, Corporate Purchasing Manager Date
 Purchasing Office, 512-974-2031

ACKNOWLEDGED BY:

 Name Authorized Signature Date

RETURN ONE COPY OF THIS ADDENDUM TO THE PURCHASING OFFICE, CITY OF AUSTIN, WITH YOUR RESPONSE OR PRIOR TO THE SOLICITATION CLOSING DATE. FAILURE TO DO SO MAY CONSTITUTE GROUNDS FOR REJECTION.