

1 **BILL NO. S-13-02-14**

2 **SPECIAL ORDINANCE NO. S- 12-13**

3 **AN ORDINANCE** approving the awarding of the  
4 2013 CONTRACT FOR PROFESSIONAL  
5 MARKETING AND ECONOMIC DEVELOPMENT  
6 SERVICES BETWEEN FORT WAYNE – ALLEN  
7 COUNTY ECONOMIC DEVELOPMENT  
8 ALLIANCE, INC. and the City of Fort Wayne,  
Indiana, by and through the Division of Community  
Development.

9 **NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL**  
10 **OF THE CITY OF FORT WAYNE, INDIANA;**

11 **SECTION 1.** That the 2013 CONTRACT FOR PROFESSIONAL  
12 ECONOMIC DEVELOPMENT SERVICES BETWEEN THE FORT WAYNE –  
13 ALLEN COUNTY ECONOMIC DEVELOPMENT ALLIANCE, INC. and the City  
14 of Fort Wayne, by and through its Division of Community Development,  
15 respectfully for:  
16

17 2013 funding for the Fort Wayne - Allen County Economic  
18 Development Alliance for Direct Marketing Services and  
Economic Development Activities during 2013;

19 involving a total cost of TWO HUNDRED FIFTY THOUSAND AND NO/100  
20 DOLLARS - (\$250,000.00) all as more particularly set forth in said  
21 CONTRACT FOR PROFESSIONAL ECONOMIC DEVELOPMENT  
22 SERVICES BETWEEN THE FORT WAYNE – ALLEN COUNTY ECONOMIC  
23 DEVELOPMENT ALLIANCE, which is on file in the Office of the Department of  
24 Purchasing, and is by reference incorporated herein, made a part hereof, and  
25 is hereby in all things ratified, confirmed and approved.  
26  
27



**CONTRACT FOR PROFESSIONAL ECONOMIC DEVELOPMENT SERVICES  
BY AND BETWEEN  
CITY OF FORT WAYNE, INDIANA  
AND  
FORT WAYNE – ALLEN COUNTY ECONOMIC DEVELOPMENT ALLIANCE, INC.**

THIS CONTRACT is entered into as of the *28<sup>th</sup>* day of *JANUARY*, 2013 by between the City of Fort Wayne, Indiana (“City”) and the Fort Wayne – Allen County Economic Development Alliance (“Alliance”).

WHEREAS, the City has a need for professional marketing services in the area of economic development activities in Fort Wayne, Indiana; and

WHEREAS, the City desires to engage in certain activities necessary for development of the economic base of Fort Wayne, Indiana; and

WHEREAS, the City desires to engage the Alliance to render certain assistance in connection with such undertakings;

NOW, THEREFORE, the parties hereto do mutually agree as follows:

**A. Scope of Services.** The Alliance shall perform direct marketing services and economic development activities for the calendar year 2013 (the “Direct Marketing Services”).

**B. Time of Performance.** The Direct Marketing Services are to commence on January 1, 2011 and shall be complete in a timely manner as required by the City, but shall not extend beyond December 31, 2013.

**C. Compensation.** The City and the Alliance hereby agree that the fees paid to the Alliance will be a fixed amount of Two Hundred Fifty Thousand Dollars (\$250,000) and shall be paid to the Alliance for the Direct Marketing Services. Compensation shall be paid in four (4) equal quarterly installments of Fifty Thousand Dollars (\$62,500), the first of which will be due the first quarter of 2013. The Alliance shall invoice the City for Direct Marketing Services to be performed.

**D. Changes.** The City may, from time to time, request changes in the Scope of Services to be performed hereunder by the Alliance. Such changes, including any increase or decrease in the amount of the Alliance’s compensation, if mutually agreed upon by the City and the Alliance, shall be incorporated in written addenda to this Contract. The Alliance may request a change in the maximum amount payable by the City in the event that said maximum amount does not provide just compensation for the Direct Marketing Services hereunder. The City may request a decrease in the amount payable hereunder in the event that the Alliance does not adequately perform the Direct Marketing Services hereunder. However, in no event may the Alliance request a compensation adjustment due to variances between the Alliance’s estimated and actual cost of providing the Direct Marketing Services that the City has contracted for hereunder. The parties agree to negotiate in good faith any such adjustment.

**E. Personnel.** The Alliance represents that it will be responsible for the performance of the Direct Marketing Services required hereunder will be performed by the Alliance or its agents and all individuals engaged in work shall be fully qualified and shall be authorized or permitted under State and Local law to perform such Direct Marketing Services.

**F. Alliance Records Maintenance.** The Alliance shall maintain accounts and records, including personnel and financial records, adequate to identify and account for all costs pertaining to this contract and such other records as may be deemed necessary to assure proper accounting for all project funds.

**G. Compliance with Local Law.** The Alliance shall comply with all applicable laws, ordinances and codes of the State and Local governments.

**H. Independent.** By contracting with the Alliance for the Direct Marketing Services hereunder, the City is not delegating any of its economic development decision-making authority and will continue maintaining economic development services as incumbent upon public entities.

IN WITNESS WHEREOF, the City and the Alliance have executed this Contract as of the date first above written.


**FORT WAYNE – ALLEN COUNTY  
ECONOMIC DEVELOPMENT ALLIANCE, INC.**

By:


  
Mick McCollum, President

**CITY OF FORT WAYNE  
DIVISION OF COMMUNITY DEVELOPMENT**

By:

  
John Urbahns, Director

To: Common Council  
Introduced February 12, 2013  
Discussed February 26, 2013

From: John Urbahns, Division Director   
Community Development

Date: February 7, 2013

Re: Fort Wayne/Allen County Economic Development Alliance

In the 2013 CEDIT Plan, Council approved \$250,000 in the marketing budget to be used for our marketing contract with the Fort Wayne/Allen County Economic Development Alliance.

The Alliance is our community's primary marketing and prospect development arm. In operation since late 2000, the Alliance has been instrumental in improving our community's ability to respond to both economic challenges and opportunities.

The work that the Alliance does is absolutely critical to our ability to market this community to new and expanding employers. We have been extremely pleased with the Alliance's work to date.

We request that you approve the 2013 contract. Thank you for your attention to this important matter.

**Sandra Kennedy**

**From:** John Urbahns  
**Sent:** Thursday, February 07, 2013 3:03 PM  
**To:** Sandra Kennedy  
**Subject:** FW: S-13-02-14 AND S-13-02-15  
**Attachments:** S-13-02-14.doc; S-13-02-15.doc

Sandy,

The two bills that are attached will be sent down tomorrow for introduction on Tuesday evening (12<sup>th</sup>). One of the guests is not available on the evening of the 19<sup>th</sup> for discussion. I'd like to hold them both until the 26<sup>th</sup> so that they can be discussed together. Can you help me with that our do I need to contact the committee chair? Thanks for you help.

-John

**From:** Diane Brown  
**Sent:** Thursday, February 07, 2013 2:19 PM  
**To:** John Urbahns  
**Subject:** S-13-02-14 AND S-13-02-15

John:

The attached Bills will be introduced to Council on February 12. You cover memo to Council notes discussion on February 26<sup>th</sup>. The usual discussion date for these Bills would be February 19<sup>th</sup>? If you have arranged for discussion on the 26<sup>th</sup> that is ok. I was checking to make sure.

*Please note the new address for the City Law Department:*

*Diane Brown*  
City of Fort Wayne Law Department  
Citizens Square  
200 E. Berry Street - Suite 430  
Fort Wayne, IN 46802  
260/427-1124  
FAX-260/427-5678  
Diane.brown@cityoffortwayne.org

*HAVE A GREAT DAY*

Public Hearing Date, if applicable

Read the first time in full and on motion by Councilman *John Crawford*  
Read the second time by title and referred to the *Finance Committee*  
Committee. Read the third time in full and on motion by Councilman  
*Crawford*, placed on passage by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	9			
BENDER	✓			
CRAWFORD	✓			
DIDIER	✓			
HARPER	✓			
HINES	✓			
JEHL	✓			
PADDOCK	✓			
SHOAFF	✓			
SMITH	✓			

DATED:

*Sandra E. Kennedy*  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
(ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE  
(RESOLUTION) NO. *S-12-13* on the *26<sup>th</sup>* day of  
*February*, 2013

*Sandra E. Kennedy*  
SANDRA E. KENNEDY,  
CITY CLERK

*Thomas F. Didier*  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the *27<sup>th</sup>* day  
of *February*, 2013, at the hour of *2* o'clock *P.M.* .E.S.T.

*Sandra E. Kennedy*  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this *1<sup>st</sup>* day of *MARCH*  
2013, at the hour of *2:00* o'clock *P.M.* .E.S.T.

*Thomas C. Henry*  
THOMAS C. HENRY, MAYOR

