


COMMISSION AGENDA:

11.20.12 #20

TO: The Honorable Chairman and Members of the
Board of County Commissioners

FROM: James L. Bennett, County Attorney 

SUBJECT: Authority for the County Attorney to Initiate Litigation in the Case of
Pinellas County v. FM:Systems, Inc.

DISTRIBUTION: Paul Sacco, Director, Real Estate Management

DATE: November 20, 2012

RECOMMENDATION: I RECOMMEND THAT THE BOARD OF COUNTY COMMISSIONERS AUTHORIZE THE COUNTY ATTORNEY'S OFFICE TO INITIATE LITIGATION IN THE ABOVE-STYLED CASE.

DISCUSSION: The County previously entered into an agreement for software licenses and implementation services with FM:Systems, Inc., dated June 20, 2011. The software was acquired for use by Real Estate Management and included modules for space planning, strategic planning, asset management, move management, and real estate and lease management. The real estate and lease management module never performed as specified and FM:Systems has refused to remedy the software module defects and deficiencies, resulting in damages to the County for the costs incurred for the software, services, and maintenance of the defective module.

JLB:DRL:sme

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