THE CITY OF ASHEVILLE

STAFF REPORT

Council Meeting Date: May 23, 2023

Subject: Contract amendment with Clover Sports for purchase of additional equipment at Harrah's Cherokee Center Asheville

Staff Resource(s): Chris Corl, Director Community & Regional Entertainment Facilities

Action Requested: Adoption of a resolution authorizing the amendment to the contract with Bypass Mobile/Clover for the purchase of additional equipment at the Harrah's Cherokee Center - Asheville to an amount not to exceed $209,537.57.

Background:

- Hardware and seven year software agreement was purchased in 2019 after a full RFP process following all City procurement and MWBE policies at the time.
- Software agreement has three years remaining.
- Hardware units have become outdated and lack functionality.
- Credit Card transaction processing time is too long, creating a negative effect on patron wait time and overall gross sales during events.
- Current portable hardware units are wifi capable only, with no hard wired options. Wifi during large scale events is overwhelmed easily. The facility has hard wired networking infrastructure throughout.
- Proposed new units are all hard wire capable, allowing for faster transaction times, direct connectivity to inventory control, more secure transactions and a more user friendly interface.
- All new units include chip reader functionality for credit card purchases, the safest option currently available for credit card processing.
- All new units utilize the cloud based inventory control and point of sale software system currently supported by Clover Sports, under the contract between the City of Asheville and Clover Sports.

Council Goal(s):

- A fiscally Sound City
- Smart City

Committee(s):

- Civic Center Commission - May 2, 2023 - Discussed, no formal vote

Pro(s):

- Replacement of Clover Sports hardware equipment will ensure consistency and compatibility of public facing and back of house systems throughout the facility
- Upgrades equipment for more secure credit card transactions.

Con(s):

- If new equipment is not purchased Clover Sports will no longer be liable for any potential data breaches of credit card information leaving the sole responsibility of liability on the City.
- If new equipment is not purchased Clover Sports will no longer support the software installed on the older point of sale units.

Fiscal Impact:

- Funding for this purchase (estimated at $70,000) is available in the HCCA Operating Fund.

Suggested Motion:

- Motion to adopt a resolution authorizing the amendment to the contract with Bypass Mobile/ Clover for the purchase of additional equipment at the Harrah's Cherokee Center - Asheville for a new total contract amount not to exceed $209,537.57.

Attachment(s)

- Resolution

RESOLUTION NO. 23-____

RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH BYPASS MOBILE, d/b/a CLOVER TO PURCHASE ADDITIONAL SPORTS HARDWARE EQUIPMENT FOR CONSISTENCY IN OPERATION AND FUNCTIONALITY AT THE HARRAH'S CHEROKEE CENTER ASHEVILLE

WHEREAS, the City of Asheville has authority pursuant to N.C.G.S. § 143-129 which details the procedures for the letting of public contracts; and

WHEREAS, the City entered into a contract with Clover for a seven year software agreement including compatible hardware purchase in 2019 after a full RFP process following all City procurement and MWBE policies at the time; and

WHEREAS, the Clover Software Agreement has three years remaining, but the Hardware units have become outdated and lack functionality; and

WHEREAS, Clover requires this updated hardware be purchased from them through an amendment to the existing contract in order to ensure compatibility and use of its software; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

City Council hereby authorizes an Amendment to the contract with Bypass Mobile, d/b/a Clover to purchase new hardware equipment in the amount of $69,659, for a new contract amount not to exceed $209, 540.00

Read, approved and adopted this the 23rd day of May, 2023.

_____ _____

City Clerk Mayor

Approved as to form:

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City Attorney