

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO AN AGREEMENT WITH CAPCHASE, INC. FOR THE PROVISION OF COMPUTER SOFTWARE PROGRAMS AND EQUIPMENT RELATED TO CLOUD STORAGE AND CYBER SECURITY, AND DECLARING AN EMERGENCY.**

**WHEREAS**, one of the City of Lorain’s methods of storing data and information is by having an on-site server supported by a third-party company; and,

**WHEREAS**, as part of the City of Lorain’s cyber security program, the City of Lorain utilizes an email protection software program designed to prevent harmful emails from affecting the City’s system and on-site servers; and,

**WHEREAS**, the City of Lorain Information Technology Department desires to procure the computer software programs and equipment from Capchase, Inc, an affiliate of Barracuda Networks, Inc, the producer of the subject computer software and equipment products, for the purpose of storing data and information on an off-site server, as well as for a software program for email protection; and,

**WHEREAS**, in procuring the above Barracuda Networks, Inc.’s professional services and equipment, Capchase, Inc., an affiliate of Barracuda Networks, Inc., is offering to sell and finance the City’s procurement of Barracuda Networks, Inc.’s professional services and equipment through an Installment Payment Agreement, a copy of which is marked Exhibit A, attached hereto and made a part hereof by reference; and,

**WHEREAS**, the Installment Payment Agreement with Capchase, Inc. offers an advantageous deal to the city by spreading payments for the computer software and equipment over a three year period; and,

**WHEREAS**, Capchase, Inc. is a sole source provider service exempting the City of Lorain from having to competitively bid; and,

**WHEREAS**, funds have been approved by City Council through the budget process.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LORAIN, OHIO:**

**SECTION I.** That the Safety/Service Director is hereby authorized to enter into an Installment Payment Agreement with Capchase, Inc. for the purchase of computer software and equipment related to cloud storage and cyber security, a copy of which is marked Exhibit A, attached hereto (the “Agreement”). The Agreement shall be in substantial form and essence subject to the approval by the Law Director.

**SECTION II:** That the Agreement shall not exceed \$501,580.90 and shall be paid from Information Technology Department Maintenance Agreements account number: 1010.E350.6300.1200 over a three-year period as follows:

2026 payment: \$167,193.64  
2027 payment: \$167,193.63  
2028 payment: \$167,193.63

**SECTION III.** That it is found and determined that all formal actions of Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council, and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including § 121.22 of the Ohio Revised Code; and

**SECTION IV:** That this ordinance is hereby declared to be an emergency, the nature of the emergency being the immediate need to provide continued support and maintenance of the City of Lorain's existing computer system's data storage process, and cyber security program. Therefore, this ordinance shall take effect immediately upon passage and approval by the mayor.

PASSED: \_\_\_\_\_, 2026

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_, CLERK

APPROVED: \_\_\_\_\_, 2026

\_\_\_\_\_  
MAYOR