

Council Communication

December 15, 2015, Business Meeting

Contract Specific-Special Procurement – Tyler Technologies

FROM

Lee Tuneberg, Administrative Service Director, Lee.Tuneberg@ashland.or.us

SUMMARY

This Contract Specific-Special Procurement (sourcing method) is being used to seek an exemption from the competitive bid process. It will allow the City's Administrative Services Department to award a contract to Tyler Technologies for financial software, conversion and migration services effective January 1, 2016.

BACKGROUND AND POLICY IMPLICATIONS:

A Special Procurement is used for the purpose of seeking an exemption from the competitive bid process, custom designing a contracting approach, or the direct selection or award of a public contract or for a series of contracts. The attached and completed special procurement, approval request form is attached for your review and consideration.

AMC 2.50.090 Exemptions from Formal Competitive Selection Procedures

All Public Contracts shall be based upon Competitive Sealed Bidding (Invitation to Bid) or Competitive Sealed Proposals (Request for Proposal) pursuant to ORS 279A – 279C and the Model Rules except for the following:

- G. Special Procurements – a public contract for a class special procurement, a contract specific procurement or both, based upon a contracting procedure that differs from procedures described in ORS 279B.055, 279B.060, 279B.065, 279B.070. The contracting approach may be custom designed to meet the procurement needs.
 - 1. Special procurements shall be awarded in accordance with ORS 279B.085 and all other applicable provisions of law.

This contract award is consistent with the Council discussions at the October 19, 2015, Study Session and the December 1, 2015, Business Meeting. In this case it was found that a migration from one software package to another within the same vendor's family of software provides for significant savings over a bid process which would either result in:

- a. a complete conversion to a new provider at an estimated significant higher cost, or
- b. a migration consistent with the current proposal for migration but at a higher cost and a delay in implementation.

COUNCIL GOALS SUPPORTED:

Administration and Governance Goal



Provide high quality, effective, and efficient city services and governance in an accessible, collaborative, and fiscally responsible manner.

Objectives

40. *Ensure on-going fiscal ability to provide desired and required services at an acceptable level.*
42. *Provide modern and innovative equipment and facilities for city functions.*
43. *Ensure the security and integrity of City data.*
44. *Utilize proven technology to enhance efficiencies and customer satisfaction.*

FISCAL IMPLICATIONS:

These funds are budgeted for FY 2015-2017 per the supplemental budget Resolution 2015-29 approved December 1, 2016, including an interfund loan from the Equipment Fund and use of excess working capital carryover from the prior year in both the Equipment and the Central Service funds, if needed.

The prior documentation estimated the amount of the commitment for this biennium to be \$725,500 including annual, recurring costs. The amount of the contract has further been reduced by removing redundant recurring fees as described at the October 19, 2016, study session. The new amount is \$608,045. The contract's Exhibit A pages 12 – 21 are not disclosed and are being treated as confidential information for proprietary purposes at the request of Tyler Technologies. They are available to Council under those conditions upon request.

STAFF RECOMMENDATION AND REQUESTED ACTION:

Staff recommends that the “Contract Specific-Special Procurement” be approved.

SUGGESTED MOTION:

The Council, acting as the Local Contract Review Board, moves to approve the “Contract Specific-Special Procurement”.

ATTACHMENTS:

Form #9, Special Procurement, Request for Approval
Tyler Agreement
October 19, 2015, Study Session Council Communication

