



## Legislation Text

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**File #:** 19-1622, **Version:** 1

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Recorder-Clerk Department recommending the Board:

- 1) Waive the formal bid requirements in accordance with Purchasing Ordinance 3.12.160, Section D; and
- 2) Authorize the Purchasing Agent to utilize Sourcewell (formerly known as National Joint Powers Alliance - NJPA) Contract #110515-TTI with Tyler Technologies, Inc. for the acquisition of public sector administrative software and technology solutions;
- 3) Approve and authorize the Recorder-Clerk to sign Agreement #4557 for a perpetual License and Services Agreement with Tyler Technologies, Inc. for the Tyler Eagle Recorder software license, implementation services, maintenance, support and escrow fee, for a total of \$326,410 plus applicable travel costs to be paid in accordance with the contract;
- 4) Authorize the Recorder-Clerk, or designee, to execute further documents relating to Agreement #4557, including amendments which do not increase the amount or term of the Agreement; and
- 5) Approve and authorize the Board Chair to sign a budget transfer form for Fiscal Year 2019-20 to transfer funds from Recorder-Clerk Special Revenue Funds for this purchase and to add the item to the Fixed Asset list. (4/5 vote required).

**FUNDING:** Recorder-Clerk Special Revenue Funds.

### DISCUSSION / BACKGROUND

Recorder-Clerk recommends the Board authorize perpetual Agreement #4557 with Tyler Technologies, Inc. for one time software license fees (\$169,617), implementation services (\$108,150), and first year maintenance and support (\$47,143) and escrow fees (\$1,500). Annual increase for the maintenance and support fees are capped at 5% for Years 1-5. The total amount for the project shall not exceed \$359,052 within Fiscal Years 2019-20 and 2020-21, and this includes a 10% contingency (\$32,642) to be used for the vendor's travel cost in accordance with the agreement and any other unforeseen department needs related to the project.

In August 2019, the Recorder-Clerk in conjunction with the Information Technologies Department created functional requirements for software and services to manage all the Recording and Clerk functions of the office. The functional requirements are Exhibit F of this Agreement. These requirements were provided to three companies (Avenu Insights & Analytics, Thomson Reuters and Tyler Technologies, Inc.), each company was then given the opportunity to respond to the requirements and to demonstrate their product.

Of the three submitters, Tyler Technologies, Inc. (Tyler) product is more robust than the other products. With 19 California County clients, Tyler has created software that meets or exceeds the functional requirements of the department. They have performed data conversion from other Criis customers, the Department's current Records Management System. This software will allow the department to import journal information into the County's Tyler Munis product. Kiosk features will allow the department to move toward a more paperless atmosphere which will reduce office supply costs and temporary storage needs. Additionally, the web services will allow customers to download

recorded documents (deeds, timeshare deeds, reconveyances, etc.) at regular copy fees, both during and outside regular business hours, which reduces trips to the office, saves staff time and provides easy access to recorded documents to the public.

Purchasing Ordinance 3.12.160, Exemptions from Competitive Bidding Process, section D allows for exemption from competitive bidding for items where the contract was awarded utilizing a competitive bidding process substantially the same as that utilized by the County. Tyler has participated in the competitive bid process in response to Sourcewell RFP #110515-TTI and was awarded the Sourcewell Contract. The County is a member of Sourcewell, formerly known as National Joint Powers Alliance. For this purchase, the Recorder-Clerk is able to utilize the Sourcewell competitive bid Contract #110515-TTI Tyler Technologies, Inc. for the Eagle Recorder License and Services Agreement.

Therefore, Recorder-Clerk respectfully requests the Board approve and authorize the Chair to sign the attached budget transfer, increasing revenue and appropriations in the Recorder-Clerk budget by \$310,409 for FY 2019-20. The first year annual maintenance, support and escrow fees will be budgeted in FY 20-21. The Recorder-Clerk designated the use of Electronic Recording Document System funds at 70% for the costs of the Recorder Suite, Intelligent Indexing, Intelligent Redaction, Government to Government, eRecording, Basic Network Services, Test/Training Site for Eagle Recorder, Intelligent Indexing Annual Refresh, Project Management, Implementation, Conversion, Initial Software Installation, Intelligent Indexing Services, Intelligent Redaction Services, eRecording Services for a total of \$126,528.

## **ALTERNATIVES**

The Board of Supervisors could initiate its own competitive bid process. This alternative could result in significant operational impacts as the contract for the current vendor expires in September 2020 and the product will no longer be supported by the end of 2020.

## **PRIOR BOARD ACTION**

N/A

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Information Technology, County Counsel, and Procurement and Contracts

## **CAO RECOMMENDATION / COMMENTS**

It is recommended that the Board approve this item.

## **FINANCIAL IMPACT**

This contract will have no impact on the General Fund. This contract will be funded by Recorder-Clerk Special Revenue Funds in FY 2019-20 as follows: Modernization Fund for \$174,731, Electronic Recording Document System Fund for \$126,528, and Social Security Truncation Fund for \$9,150. The annual maintenance, support and escrow fees will be included in the FY 20-21 Recommended Budget and will be covered by these same special revenue funds.

## **CLERK OF THE BOARD FOLLOW UP ACTIONS**

Following Board approval, the Clerk of the Board obtain the Chair's signature on the budget transfer form and return the fully executed form to the CAO.

**STRATEGIC PLAN COMPONENT**

Good Governance

**CONTACT**

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