



July 27, 2023

BCC Agenda Date/Item: _____

Board of County Commissioners
 Acting as the governing body of Water Environment Services
 Clackamas County

Approval of Amendment #5 with Tyler Technologies, Inc., to extend Contract 2033 and add additional funds. Amendment value is \$217,788.73, increasing Total contract value to \$629,392.63 through June 30, 2024. Funding is through WES' Sanitary Sewer and Surface Water Operating funds. No County General Funds are involved.

Previous Board Action/Review	<ul style="list-style-type: none"> Original contact approved 9/26/2001 Presented at Issues 7/25/2023 		
Performance Clackamas	Build Public Trust through Good Government		
Counsel Review	Yes	Procurement Review	Yes
Contact Person	Erin Blue	Contact Phone	971-742-4585

EXECUTIVE SUMMARY: Clackamas Water Environment Services (WES) directly bills approximately 21,000 residential accounts and 1,000 commercial accounts every month for sewer and surface water services. WES has contracted with Tyler Technologies, Inc., for the utility billing software Incode, and related professional services and maintenance & support. Amendments 1 through 3 supported enhancements of the Incode system; Amendment 4 supported implementation of utility billing phone payments and an integrated online account management system to improve transactional efficiencies and the overall WES customer experience. Customer utilization of the online and phone payment systems has exceeded expectations and approximately 40% of WES customers are now making payments through these systems.

This request is for an amendment to the existing contract to add \$35,000.00 of funds for additional online and phone payment transaction fees of \$0.85 per transaction associated with higher than anticipated activity through the end of June 30, 2023, and add funds not to exceed \$182,788.73 for annual utility billing system maintenance and transaction fees of \$0.85 per transaction for an additional fiscal year, through June 30, 2024. This amendment is being requested under the Local Contract Review Board Rule C-047-0288 (15); where the efficient

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use of an existing equipment or supplies requires compatible products or services of a particular product or service without obtaining competitive bids or proposals.

RECOMMENDATION: Staff recommends that the Board of County Commissioners of Clackamas County, acting as the governing body of Water Environment Services, approve the amendment between Water Environment Services and Tyler Technologies, Inc. for utility billing software and utility billing payment system transaction fees.

Respectfully submitted,



Greg Geist
Director, WES

Attachment: Tyler Technologies Contract 2033

**AMENDMENT #5
TO THE CONTRACT DOCUMENTS WITH TYLER TECHNOLOGIES, INC. FOR INCODE 10
UPGRADE FOR WES
Contract #2033**

This Amendment #5 is entered into between **Tyler Technologies, Inc.** (“Contractor”) and Water Environment Services (“District”) and shall become part of the Contract documents entered into between both parties on **August 28, 2001** (“Contract”).

The Purpose of this Amendment #5 is to make the following changes to the Contract:

- Compensation** is hereby amended as follows:
Due to higher transaction activity than originally anticipated for fiscal year 2022-2023, District agrees to pay Contractor an additional sum up to \$35,000.00 for additional transaction fees of \$0.85 per transaction. Further, District agrees to pay Contractor an additional sum up to \$182,788.73 for the annual utility billing system maintenance and transaction fees of \$0.85 per transaction for fiscal year 2023- 2024, further described in **Exhibit A** and hereby incorporated by reference. The total Contract compensation shall not exceed **\$629,392.63**.

ORIGINAL CONTRACT	\$ 137,899.00
AMENDMENT #1	\$ 13,789.90
AMENDMENT #2	\$ 37,077.00
AMENDMENT #2- Adjustment	\$ 5,698.00
AMENDMENT #3	\$ 6,000.00
AMENDMENT #4	\$ 211,140.00
AMENDMENT #5	\$ 217,788.73
TOTAL AMENDEED CONTRACT	\$ 629,392.63

- This Amendment is expressly subject to the debt limitation set forth in Article XI, Section 10 of the Oregon Constitution, and is contingent upon funds being appropriated therefor. Any provisions herein which would conflict with law are deemed inoperative to that extent.

Except as expressly amended above, all other terms and conditions of the Contract shall remain in full force and effect. By signature below, the parties agree to this Amendment #5, effective upon the date of the last signature below.

Tyler Technologies, Inc.

Water Environment Services



June 28, 2023

Authorized Signature

Date

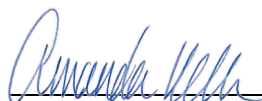
Chair

Rob Kennedy-Jensen

Printed Name

Date

Approved as to Form


County Counsel

7/10/23
Date

EXHIBIT A
VENDOR QUOTE

TYLER TECHNOLOGIES
 INCODE 10 IVR/WEB PAYMENTS
 ESTIMATED COST - AMENDMENT 5

FY 2023/24 Estimated Cost (estimated ~50% user growth)*	Monthly Estimated Transactions	Total Annual Estimated Transactions	Cost per Transaction	Total Estimated Cost (rounded to nearest thousand)
Monthly IVR Transactions (Pay over phone)	950	11,400	\$ 0.85	\$ 10,000.00
Web/Online Transactions	13,000	156,000	\$ 0.85	\$ 133,000.00
ESTIMATED TRANSACTION TOTAL				\$ 143,000.00
FY 2023/24 Annual Maintenance - see proforma				\$ 39,788.73
ESTIMATED ADD'L TRANSACTION FEES FOR FY 2022/23				35,000.00
REQUESTED AMENDMENT TOTAL				\$ 217,788.73

*# of monthly transactions and additional funds needed for FY 2022/23 are provided as an estimate only, for the purposes of estimating the additional funds needed for the contract amendment.



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Remittance
 Tyler Technologies, Inc.
 (FEIN 75-2303920)
 P.O. Box 203556
 Dallas, TX 75320-3556

THIS IS NOT AN INVOICE PROFORMA

Company	Order No.	Date	Page
025	180262	05/16/2023	1 of 2

Questions

Tyler Technologies - Local Government
 Phone: 1-800-772-2260 Press 2, then 2
 Fax: 1-866-673-3274
 Email: ar@tylertech.com

To: CLACKAMAS COUNTY SERVICE DISTRICT
 150 BEAVERCREEK ROAD
 ROOM 430
 OREGON CITY, OR 97045-4302
 United States

Ship To: CLACKAMAS COUNTY SERVICE DISTRICT
 150 BEAVERCREEK ROAD
 ROOM 430
 OREGON CITY, OR 97045-4302
 United States

Customer Grp/No.	Customer PO#	Payment Terms	Currency Code	Ship Via	Salesperson Cd
1 42590		Net 30	USD	ELEC	

No.	Item/ Description/ Comments	Drop Ship	# Users	Quantity	U/M	Unit Price	Disc %	Total Cost
Contract No.: Clackamas County Service								
1	Renewal: Office Exporter Maintenance Plan: ; Start: 07/01/2023, End: 06/30/2024; Term: 12 months	No	1	1	EA	292.56	.00	292.56
2	Renewal: Utility CIS System Maintenance Plan: ; Start: 07/01/2023, End: 06/30/2024; Term: 12 months	No	1	1	EA	21,269.78	.00	21,269.78
3	Renewal: CIS Contact Management Maintenance Plan: ; Start: 07/01/2023, End: 06/30/2024; Term: 12 months	No	1	1	EA	2,678.70	.00	2,678.70
4	Renewal: CIS Property Management Maintenance Plan: ; Start: 07/01/2023, End: 06/30/2024; Term: 12 months	No	1	1	EA	2,678.70	.00	2,678.70
5	Renewal: U/SQL Data Dictionary Maintenance Plan: ; Start: 07/01/2023, End: 06/30/2024; Term: 12 months	No	1	1	EA	3,353.20	.00	3,353.20
6	Renewal: System Software Non SQL Maintenance Maintenance Plan: ; Start: 07/01/2023, End: 06/30/2024; Term: 12 months	No	1	1	EA	546.20	.00	546.20
7	Renewal: Basic Network Support Services Maintenance Plan: ; Start: 07/01/2023, End: 06/30/2024; Term: 12 months	No	1	1	EA	1,500.77	.00	1,500.77
8	Renewal: Lock Box Interface Maintenance Plan: ; Start: 07/01/2023, End: 06/30/2024; Term: 12 months	No	1	1	EA	1,112.53	.00	1,112.53
9	Renewal:	No	1	1	EA	500.00	.00	500.00



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025	180262	05/16/2023	2 of 2

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 Fax: 1-866-673-3274
 Email: ar@tylertech.com

No. Item/ Description/ Comments	Drop Ship	# Users	Quantity	U/M	Unit Price	Disc %	Total Cost
Escrow Maintenance Plan: ; Start: 07/01/2023, End: 06/30/2024; Term: 12 months							
10 Renewal: Forms Overlay Maintenance Plan: ; Start: 07/01/2023, End: 06/30/2024; Term: 12 months	No	1	1	EA	793.64	.00	793.64
11 Renewal: Tyler Output Processor Server Maintenance Plan: ; Start: 07/01/2023, End: 06/30/2024; Term: 12 months	No	1	1	EA	2,113.73	.00	2,113.73
12 Renewal: Miscellaneous Accounts Receivable - Maintenance Maintenance: Start: 07/01/2023, End: 06/30/2024; Term: 12 months	No	1	1	EA	1,877.74	.00	1,877.74
13 Renewal: CIS/CRM - Custom Programming - Custom Development for Custom Bill Maintenance: Start: 07/01/2023, End: 06/30/2024; Term: 12 months	No	1	10	EA	73.73	.00	737.34
14 Renewal: Custom Bill Form - Maintenance Maintenance Plan: ; Start: 07/01/2023, End: 06/30/2024; Term: 12 months	No	1	1	EA	333.84	.00	333.84

Does not include any applicable taxes

Order Total: **39,788.73**

Comments: **Upon acceptance please email your purchase order to PO@tylertech.com**



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 Tyler Technologies, Inc.
 (FEIN 75-2303920)
 P.O. Box 203556
 Dallas, TX 75320-3556

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Company	Order No.	Date	Page
025	182985	06/15/2023	1 of 1

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 Tyler Technologies - Local Government
 Phone: 1-800-772-2260 Press 2, then 2
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Customer Grp/No.	Customer PO#	Payment Terms	Currency Code	Ship Via	Salesperson Cd
1 42590		Net 30	USD	ELEC	

No. Item/ Description/ Comments	Drop Ship	# Users	Quantity	U/M	Unit Price	Disc %	Total Cost
Contract No.: Clackamas County Service							
1 Renewal: Utility Billing Online Component - Annual Fee Maintenance: Start: 07/01/2023, End: 06/30/2024; Term: 12 months	No	1	1	EA	0.00	.00	0.00

Does not include any applicable taxes

Order Total: 0.00

Comments: **Upon acceptance please email your purchase order to PO@tylertech.com**