



Board of County Commissioners
 Clackamas County

Members of the Board:

**Approval of Amendment #4 between
 Water Environment Services and Tyler Technologies, Inc. for
Incode 10 Upgrade**

Purpose/Outcomes	Execution of Amendment #4 between Water Environment Services and Tyler Technologies, Inc. for Incode 10 Upgrade.
Dollar Amount and Fiscal Impact	The amendment amount is \$211,140.00. Funds are budgeted in Water Environment Services' fiscal year budget. Total Contract not to exceed \$411,603.90.
Funding Source	WES Rate Revenue No general funds are impacted
Duration	Effective upon signature and shall continue for three (3) years with extension options
Previous Board Action	Original contract approved 09/20/01 III-1.
Strategic Plan Assignment	1. This system supports WES' Strategic Plan results that improve enterprise resiliency, infrastructure strategy and performance, and product quality. 2. This project supports the County's Strategic Plan of building a strong infrastructure that delivers services to customers and honors, utilizes, promotes and invests in our natural resources.
Counsel Approval	Approved as to form on December 3, 2019
Contact Person	Matt House, MattHou@clackamas.us 503-742-4601 or Doug Waugh, DougWau@clackamas.us 503-742-4564

BACKGROUND:

On August 28, 2001, Tyler Technologies, Inc. was contracted with for the acquisition of utility billing software, related professional services and maintenance & support. Amendments 1, 2, and 3 supported enhancements of the system.

This amendment is for the implementation of the Incode 10 IVR (Interactive Voice Response) Solution for Utility Billing phone payments and EasyPay Online components to improve transactional efficiencies and the overall WES customer experience. There is no installation costs, only usage costs of \$0.85 per customer transaction. We have estimated the services fees to be \$211,140 over a 3-year period.

Approval of this contract is being requested under the Local Contract Review Board Rule C-047-0288 (15) where the efficient 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 and execute the Amendment #4 to the Contract between Water Environment Services and Tyler Technologies, Inc.

Respectfully submitted,

Greg Geist, Director
Water Environment Services

Placed on the _____ agenda by Procurement and Contract Services.

**AMENDMENT #4
TO THE CONTRACT DOCUMENTS WITH TYLER TECHNOLOGIES, INC. FOR INCODE 10
UPGRADE FOR WES
Contract #2033**

This Amendment #4 is entered into between Tyler Technologies, Inc. (“Contractor”) and Water Environment Services (“Client”) and shall become part of the Contract documents entered into between both parties on August 28, 2001, and as subsequently amended (“Agreement”).

The Purpose of this Amendment #4 is to make the following changes to the Agreement:

1. Client is adding the IVR (Interactive Voice Response) Solution for Utility Billing Phone Payments and EasyPay Online components to improve transactional efficiencies and the overall WES customer experience. Contractor Hosted Application Agreement is attached as **Exhibit A** and hereby incorporated by reference.
2. **Compensation** is hereby amended as follows:
There is no programming or set up fees associated with adding this feature; however, there is a \$0.85 cent transaction fee for the IVR **or** EasyPay Online for each utility customer that uses this service. Client has estimated three (3) years of service and the total cost associated for offering this service, attached as **Exhibit B** and hereby incorporated by reference. The estimated service fees for three (3) year term is \$211,140.00.

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
<u>AMENDMENT #4</u>	<u>\$ 211,140.00</u>
TOTAL AMENDED CONTRACT	\$ 411,603.90

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

SIGNATURE PAGE FOLLOWS

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 #4, effective upon the date of the last signature below.

Tyler Technologies, Inc.

Water Environment Services

Authorized Signature Date

Chair

Printed Name

Recording Secretary

Date

Approved as to Form

County Counsel Date

EXHIBIT A

EXHIBIT B