



September 5, 2024

BCC Agenda Date/Item: _____

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

Approval of Amendment #7 to a Contract with Tyler Technologies, Inc., for utility billing software and support. Amendment value is \$152,481.69 and 2 years, increasing total contract value to \$781,874.32 over 24 years and 10 months. Funding is through Water Environment Services 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 – September 4, 2024. 		
Performance Clackamas	This contract supports the County’s Strategic Plan to 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 each month for sewer and surface water services. Since 2001, WES has contracted with Tyler Technologies, Inc., for its “Incode” utility billing software, along with related maintenance and support services. Previous contract amendments have supported system enhancements, the implementation of new modules, including an integrated online and telephone account management system, and provided additional funding for annual software maintenance and transaction fees related to online and telephone payment processing.

This amendment will add funds to cover projected online and phone payment transaction fees of \$0.85 per transaction through December 31, 2024. The amendment also will extend the contract term and provide additional funds for annual maintenance through June 30, 2026.

This amendment 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 the amendment between Water Environment Services and Tyler Technologies, Inc. for utility billing software and utility billing payment system transaction fees.

For Filing Use Only

Respectfully submitted,

A handwritten signature in blue ink that reads "Greg Geist". The signature is written in a cursive style with a long horizontal stroke at the end.

Greg Geist
Director, WES

Attachment: Tyler Technologies Contract 2033, Amendment #7

**AMENDMENT #7
TO THE CONTRACT DOCUMENTS WITH TYLER TECHNOLOGIES, INC. FOR
INCODE 10 UPGRADE FOR WES
Contract #2033**

This Amendment #7 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 #7 is to make the following changes to the Contract:

1. **Term** is hereby amended as follows:
The Contract termination date is hereby changed from **June 30, 2024 to June 30, 2026.**

2. **Compensation** is hereby amended as follows:
In consideration for Contractor performing Work during the extended term of this Contract, District shall pay Contractor an amount not to exceed \$152,481.69. This amount includes continued annual utility billing system maintenance support from July 1, 2024 through June 30, 2026 and \$0.85 transaction fees for online and telephone payment services from July 1, 2024 to December 31, 2024. The additional consideration is further described in Exhibit A to this Amendment #7, attached and hereby incorporated by reference. The total Contract compensation will not exceed **\$781,874.32.**

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
AMENDMENT #6	Scope of Work
AMENDMENT #7	\$ 152,481.69
<u>TOTAL AMENDED CONTRACT</u>	<u>\$ 781,874.32</u>

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

Tyler Technologies, Inc.

Water Environment Services

Tina Mize 07/18/24

Authorized Signature Date

Tina Mize, Group General Counsel

Printed Name

Chair Date

Recording Secretary Date

Approved as to Form

Amanda Kelly 7/29/2024

County Counsel Date

EXHIBIT A
Contractor Quote for Services from 07/01/2024 – 06/30/2026

TYLER TECHNOLOGIES
INCODE 10 IVR/WEB PAYMENTS & ANNUAL MAINTENANCE
ESTIMATED COST - AMENDMENT 7

7/1 - 12/31/24 Estimated Cost Transaction Fees	Monthly Estimated Transactions	7/1 - 12/31/24 Estimated Transactions	Cost per Transaction	Total Estimated Cost (rounded to nearest thousand)
Monthly IVR Transactions (Pay over phone)	1,000	6,000	\$ 0.85	\$ 5,000.00
Web/Online Transactions	12,000	72,000	\$ 0.85	\$ 61,000.00
TRANSACTION FEES SUBTOTAL				\$ 66,000.00

7/1/24 - 6/30/26 Software Maintenance Fees	Total Estimated Cost
7/1/2024 - 6/30/2025 Annual Maintenance (based on pro-forma)	\$ 42,181.69
7/1/2025 - 6/30/2026 <u>Estimated</u> Annual Maintenance (~5% increase)	\$ 44,300.00
ANNUAL MAINTENANCE FEES SUBTOTAL	
	\$ 86,481.69

AMENDMENT TOTAL	\$ 152,481.69
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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

Empowering people who serve the public®

Questions

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

Company	Order No.	Date	Page
025	193785	03/25/2024	1 of 1



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	Quantity	U/M	Unit Price	Total Cost
Contract No.: Clackamas County Service				
1 Renewal: Utility Billing Water/Gas Cycle Start: 07/01/2024, End: 06/30/2025; Term: 12 months	1	EA	36,087.37	36,087.37
2 Renewal: Basic Network Services Cycle Start: 07/01/2024, End: 06/30/2025; Term: 12 months	1	EA	1,605.82	1,605.82
3 Renewal: Utility Payment Import Interface Cycle Start: 07/01/2024, End: 06/30/2025; Term: 12 months	1	EA	1,190.41	1,190.41
4 Renewal: Source Code Escrow Cycle Start: 07/01/2024, End: 06/30/2025; Term: 12 months	1	EA	500.00	500.00
5 Renewal: Accounts Receivable Cycle Start: 07/01/2024, End: 06/30/2025; Term: 12 months	1	EA	2,009.18	2,009.18
6 Renewal: Utility Access Cycle Start: 07/01/2024, End: 06/30/2025; Term: 12 months	1	EA	0.00	0.00
7 Renewal: Custom Programming - Custom Development for Custom Bill Cycle Start: 07/01/2024, End: 06/30/2025; Term: 12 months	10	EA	78.89	788.91

Does not include any applicable taxes

Order Total: **42,181.69**

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