

CURRY COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM ROUTING SLIP (ARS)

Revision 1-3-2020

SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)

PROPOSED AGENDA ITEM TITLE: Order Awarding Contract to Tyler Technologies for ORION Assessment and Taxation Software and Service

AGENDA DATE: 5/6/2020 **DEPARTMENT:** Assessment & Taxation **TIME NEEDED:** 5min

RECOMMENDED AGENDA CATEGORY PUBLIC HEARING

If this is a Presentation, who is doing the Presentation?

CONTACT PERSON: Jim Kolen **TODAY'S DATE** 4/9/20

BRIEF BACKGROUND: See attached explanation

FILES ATTACHED:

- (1) Explanation for Special Procurement of ORION Software
- (2) Contract-Service Agreement
- (3)
- (4)

INSTRUCTIONS ONCE SIGNED:

- No Additional Activity Required OR
- File with County Clerk Name:
- Send Printed Copy to: Address:
- Email a Digital Copy to: City/State/Zip:
- Other Phone:

Note: Most signed documents are filed/recorded with the Clerk per standard process.

CURRY COUNTY ASSESSOR/TAX COLLECTOR

94235 MOORE STREET, SUITE 221

GOLD BEACH, OREGON 97444

1-800-242-7601

Jim Kolen
Assessor/Tax Collector

Phone (541) 247-3257

MACK ARCH ON THE CURRY COAST

March 31, 2020

From: Jim Kolen, Curry County Assessor

To: Curry County Board of Commissioners acting as the Curry County Local Contract Review Board

Re: Explanation of why Special Procurement of Assessment and Tax Collection Software and License from Tyler Technologies complies with ORS 279B.085 and Curry County Local Rules Section 9.

Background:

The Assessor's Office has explained its need for upgraded Assessment and Tax Collection Software. The Budget Committee and Board of Commissioners allocated funds to acquire a software upgrade. The Assessor has reviewed other Assessment and Tax Collection Software programs in use throughout the state of Oregon.

Legal Standards:

State law and our local rules provide two main procedures for procurement. One is competitive sealed bid; the other is competitive sealed proposals. In sealed bid, you award to the lowest price. In sealed proposals, you award to the responsible proposer whose proposal the contacting agency determines in writing is the "most advantageous" to the contracting agency based on evaluation process and factors in the procurement documents.

Another method of procurement is cooperative procurement (commonly known as piggy-backing) where we acquire goods and services on the same terms as another unit of local government who used a competitive process to award the contract.

Lastly, state law and our rules allow us to engage in a "special procurement" where we do not use any of those described methods, so long as we can explain that the award of the contract

(a) Is not likely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts; and

(b)

(i) Is reasonably expected to result in cost savings to the agency or public; **or**

(ii) Otherwise substantially promotes the public interest in a manner that could not practicably be realized by complying with the requirements applicable under sealed bid or sealed proposals or small or intermediate procurements rules.

Discussion:

Awarding the Assessment and Tax Collection Contract to Tyler Technologies for its Orion Software Licensing and Service satisfies the standards for special procurements under the state law and our local rules.

First, awarding the contract to Tyler is not likely to encourage favoritism in public contracts.

Several other local governments use or are converting to Tyler Technologies Orion software for their Assessment and Tax Collection functions. Washington County and Multnomah County are two examples. Those counties will use the same software, but have chosen to host the software themselves. If Curry County had elected to host the software ourselves, we would have been able to use cooperative procurement. Because cooperative procurement based on the Washington and Douglas County contracts is allowed under Oregon law and our local rules, it is not likely to encourage favoritism if we award the contract to Orion. Our contract terms are almost the same, but because we are not hosting, we are not able to use the cooperative procurement method.

Second, awarding the contract to Tyler is expected to result in cost savings to the agency or public.

The first or immediate cost savings comes with the elimination of the License fee. Typically, a License or right to use the software is granted upon payment of the License fee. With a Tyler hosted solution, the right to use is granted through the annual support maintenance therefore eliminating the up-front cost of the license.

Secondly, deploying Orion as the other counties have would introduce hardware costs for the county. Hardware would require maintenance and contains a shelf life of about 3-5 years per server. By moving to a Tyler hosted model, those expenditures as well as the maintenance of the hardware are taken on by Tyler. In effect, Tyler becomes our IT resource for the Assessment & Taxation department. The Tyler hosted model also includes other services in addition to providing the hardware and maintenance of said hardware. With a Tyler hosted model, Tyler ensures redundancy of its platform, daily backup and a disaster recovery program should an event take place at the Tyler hosting facility. In addition to those services, Tyler's cyber security team monitors its enterprise environment 24/7/365 to ensure their client's data is protected. Those services are included in the cost and therefore represent a savings for the county and public.

Lastly, in the unlikely event the case is made that awarding the contract to Tyler will not result in cost savings; it nevertheless substantially promotes the public interest in public contracting found in the other contracting procurement methods. Here, we have published a notice of our intent to award, and provided notice to the other vendors of this type of software. The public and other vendors have had a chance to explain to this Board any areas of this proposed award

that are not in the public interest. Further, because under Competitive Sealed Proposal format, the County would award to the proposer whose proposal was most advantageous to the county, the board can find that Tyler Technology Orion software is most advantageous to the county because this is a defacto upgrade to the County's current Assessment & Taxation

Assessor Explanation for Special Procurement of A&T Software page 3

System provided and maintained by Tyler. It is important that while converting from one system to the next the data maintains its integrity and most importantly the county has the ability to accurately calculate property valuations and taxes. The vendor who has the most experience with our current system is Tyler. Lastly, in a world where technology changes rapidly, Tyler has the ability to provide other functionality that could make the Assessment & Taxation office more efficient.

Conclusion

Based on the above, the Curry county Board of Commissioners acting as the County's Local Contract Review Board can approve the award of Assessment and Tax Collection Software Licensing and Service agreement to Tyler Technologies under the Special Procurement provisions of ORS 279B.085 and Local Contract Review Board Rules Section 9.