



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: A 22-221, **Version:** 1

- a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign a 5-year agreement with Tyler Technologies, Inc. in the amount not to exceed \$1,822,086 in the aggregate for the purchase and implementation of a case management supervision system from the execution of the agreement through June 30, 2027;
- b. Authorize modification of the County standard provisions including liability language, indemnification and insurance requirements as recommended by the Chief Probation Officer; and
- c. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign up to (3) amendments to this agreement, subject to prior County Counsel review, where each amendment does not exceed five percent (5%) of the original total contract amount (\$91,104), and that does not significantly change the scope of work.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign a 5-year agreement with Tyler Technologies, Inc. in the amount not to exceed \$1,822,086 in the aggregate for the purchase and implementation of a case management supervision system from the execution of the agreement through June 30, 2027;
- b. Authorize modification of the County standard provisions including liability language, indemnification and insurance requirements as recommended by the Chief Probation Officer; and
- c. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign up to (3) amendments to this agreement, subject to prior County Counsel review, where each amendment does not exceed five percent (5%) of the original total contract amount (\$91,104), and that does not significantly change the scope of work.

SUMMARY:

The Probation Department is recommending entering into the 5-year agreement with Tyler Technologies, Incorporated to provide for the purchase and implementation of Tyler Supervision Case Management System to manage operations, client and victim information, and to fulfill increasing data collection and reporting mandates.

DISCUSSION:

Probation is a complex system, and is considered the linchpin of the criminal justice system and an arm of the Courts. The collection and tracking of client and case-related information is the backbone of all juvenile and adult probation operations. The current case management system (CMS), has been utilized since 2011 and has experienced many upgrades to be able to meet changing requirements, demands of department users and legislation changes on the information maintained on the clients served, but has reached its maximum capabilities. Additionally, the current system presents challenges to comply with new State and Federal mandates in a prompt manner without delays, resulting in reduced abilities to achieve workflow efficiencies.

As the needs of the Probation Department have grown, it was determined to be essential that a simpler way be found to share and deliver information accurately and expeditiously. Transitioning to a new CMS that can accommodate data integration with the County court system, as well as accommodating the growing pre-trial

and juvenile justice realignment requirements is critical for the support of daily operations and to maintain adequate data collection and mandated reporting for the department.

Data collection and reporting requirements from state and federal agencies for probation departments statewide, as well as mandates from new laws continue to steadily increase, and are strongly linked to access to funding. It is required that CMS functionality continue to expand and include data collection and reporting requirements for SB678, AB 109-Public Safety Realignment, SB 823-Juvenile Justice Realignment, SB129-Pre-trial Services and data exchanges for offender monitoring and data sharing with the State of California's Department of Justice as part of the Smart Justice Initiative.

The Probation Department conducted extensive research to gather information, determined types of management systems available and evaluated new case management systems, as well as explored cost saving methods of procurement including piggyback and cooperative agreements. It was determined that the case management system under Tyler Technologies, Incorporated provided the best solution to meet the department's current and future needs. The department contacted Butte County requesting information on their agreement with Tyler Technologies, Inc. and confirmed that Butte County had conducted a competitive bid process and their contract language allowed for a piggy-back process. Due to the comparative size and caseloads processed by Butte County, Probation determined that their RFP best fit the department's needs and requirements. The Contracts Purchasing Division was consulted and has approved the method of procurement under the County code and established procurement policies.

Tyler Supervision is a cloud-hosted, web-based caseload management system used in fifteen California counties as their case management platform. Tyler Technologies has a deep familiarity across California with demonstrated implementation success. The system is designed for the public sector with an integrated solution for federal and state reporting mandates that provides real-time, instant data across jurisdictions. Tyler Technologies offers live support, online training, and software support 24/7/365. Software capabilities include data access on the go, which is compatible with smartphones, tablets, and smart watches. This allows for various methods of entering and receiving urgent data in a timely manner. Additionally, the CMS uses Public Safety Analytics to assist in collecting, storing, and analyzing information for effective decision making on improving the safety of our community.

The 5-year agreement supports the annual software license fees at the cost of \$285,000 for FY 22-23, and FY23-24, with an annual increase of 5% per year in the subsequent three fiscal years. It also includes \$180,700 for implementation services, up to \$8,000 for project travel costs and \$120,000 for optional enhancements/upgrades. The total aggregate for the 5-year contract is not to exceed \$1,822,086.

The Office of County Counsel has reviewed as to legal form and content. The Risk Manager has reviewed the insurance language. The agreement contains non-standard provisions including, but not limited to the following: vendor terms overriding County standard terms, non-standard defense, indemnification, payment and travel reimbursement terms, limitations on liability, limitations on absence of warranties of performance of certain products, non-standard intellectual property liability protection and non-standard insurance provisions. Tyler Technologies agrees to and will provide upon contract execution, the required County insurance coverage, limits and language, including naming the County as additional insured on the General Liability, Auto Liability and Workers Compensation policies. The only exception is that they do not provide specific endorsements, as the executed contract and Tyler Technologies insurance policy language will confer that Monterey County is entitled to those rights.

Included in Exhibit-A, Investment Summary is the line, Project Travel, which provides for on-site activities

inclusive of all travel related costs at a capped cost of \$8,000. This amount is expected to cover all travel related costs for the project management, go live assistance and training portions of the project.

The limitation of liability clause appears in most service and software contracts, excluding consequential damages and capping the liability to two times the amount actually paid by County for the services provided in the agreement. As there are compelling business reasons for execution of this agreement, the Department recommends that the Board approve the exceptions to County standard provisions, and standard insurance, liability and indemnification requirements, as in the best interest of the County. Most of these exceptions were approved previously by the Board of Supervisors for another County department contract with the vendor.

A copy of the Agreement is on file with the Clerk of the Board.

OTHER AGENCY INVOLVEMENT:

The Office of County Counsel has reviewed and approved the agreement as to legal form. Risk Management has reviewed the agreement for insurance provisions. The Auditor Controller's Office has reviewed for fiscal provisions. The Information Technology Department has reviewed and approved the agreement.

FINANCING:

Funding in the amount of \$458,472 for enterprise license fees and implementation costs is included in Probation's Recommended Budget for FY22-23. The remaining balance will be included in future departmental budgets for FY23-24 forward. There is no additional cost to the County General Fund with this recommended action.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This recommendation supports the Board of Supervisor Strategic Initiatives of: a) Administration, through the enhancement of the Department's case management infrastructure; and b) Public Safety by maintaining and expanding features for the tracking of information on offenders and victims.

Economic Development

Administration

Health & Human Services

Infrastructure

Public Safety

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Approved by: Todd Keating, Chief Probation Officer, ext. 3913

Attachment:

Agreement with Tyler Technologies, Inc., FY 22-23 through FY 26-27 for Tyler Supervision Case Management System

Attachment No. 1 - Butte County RFP 318-2016 and Award Letters

Attachment No. 2 - Butte County Contract with Amendments for CaseloadPro/Tyler Technologies, Inc.