

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 2/26/2015
3/12/2015

Action Requested By:
Finance

Agenda Item Type
Resolution

Subject Matter:

Software Agreement

Exact Wording for the Agenda:

Resolution authorizing the Mayor to execute a modification to the agreement with Tyler Technologies, Inc. for software products and services.

Note: If amendment, please state title and number of the original

Item to be considered for: Action Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

The City is amending the agreement by deleting on software module and services and adding another, with a slight reduction in total cost.

Associated Cost: n.a.

Budgeted Item: Yes

MAYOR RECOMMENDS OR CONCURS: Yes

Department Head: _____

Date: 2/18/15

**ROUTING SLIP
CONTRACTS AND AGREEMENTS**

Originating Department: Finance

Council Meeting Date: ~~2/26/2015~~
3/12/15

Department Contact: Randy Taylor

Phone # 5062

Contract or Agreement: Tyler Technologies Software Agreement modification

Document Name: ~~20150226~~ Tyler Agreement.docx
20150312

City Obligation Amount: -1,500

Total Project Budget:

Uncommitted Account Balance:

Account Number: 01-8300-0807-7403

Procurement Agreements

Title 41	Competitive
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Grant-Funded Agreements

Not Applicable	Grant Name:
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Department	Signature	Date
1) Originating	<i>R Taylor</i>	2/18/15
2) Legal	<i>Mary Cates</i>	2/18/15
3) Finance	<i>R Taylor</i>	2/18/15
4) Originating		
5) Copy Distribution		
a. Mayor's office (1 copies)		
b. Clerk-Treasurer (Original & 2 copies)		

RESOLUTION NO. 15-_____

BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, that the Mayor be, and he is hereby authorized to enter into an agreement by and between the City of Huntsville and Tyler Technologies, Inc., on behalf of the City of Huntsville, a municipal corporation in the State of Alabama, which said agreement is substantially in words and figures similar to that certain document attached hereto and identified as "Modification No. 1 to the Agreement Between the City of Huntsville, Alabama and Tyler Technologies, Inc.," consisting of two (2) pages and the date of March 12, 2015, appearing on the first page, together with the signature of the President or President Pro Tem of the City Council, an executed copy of said document being permanently kept on file in the Office of the City Clerk-Treasurer of the City of Huntsville, Alabama.

ADOPTED this the 12th day of March, 2015.

President of the City Council
Of the City of Huntsville,
Alabama

APPROVED this the 12th day of March, 2015.

Mayor of the City of Huntsville,
Alabama

**Modification No. 1 to the
Agreement Between
The City of Huntsville
and Tyler Technologies, Inc.,
adopted and approved by
Resolution No. 14-479
on June 26, 2014**

STATE OF ALABAMA)
COUNTY OF MADISON)

MODIFICATION NO. 1

THIS MODIFICATION NO. 1 IS MADE TO THE AGREEMENT entitled "Agreement between the City of Huntsville and Tyler Technologies, Inc." as referenced above (Agreement) and is entered into on this the 26th day of February, 2015, by and between the City of Huntsville, Alabama (City) and Tyler Technologies, Inc. (Tyler).

WITNESSETH

WHEREAS, the City and Tyler desire to modify the Agreement.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree to modify the Agreement as follows:

1. The Final Investment Summary found in Exhibit 1 of the Agreement is hereby modified to delete the following products and services:

Bid Management - License Fee \$30,000; Nine (9) Implementation Services days, totaling \$10,575 (\$1,175 per day); Year One Maintenance, \$5,400.

2. The Final Investment Summary found in Exhibit 1 of the Agreement is hereby modified to add the following products and services:

Contract Management - License Fee \$28,500; Nine (9) Implementation Services days, totaling \$10,575 (\$1,175 per day); Year One Maintenance, \$5,130.

PRESIDENT OR PRESIDENT PRO TEM OF THE CITY
COUNCIL OF THE CITY OF HUNTSVILLE, ALABAMA

Date: 3/12/15_____

3. In recognition of the software license fee paid to date for Bid Management (\$22,500), Tyler issues Client a credit equal to such amount which shall be applied to license fees payable for Contract Management. As a result of this credit, Client shall remit \$6,000 in full satisfaction of the license fees payable under Tyler Invoice # 128691, dated 2/28/15.

4. The payment required pursuant Section E(28)(d) of the Agreement is reduced by \$7,500 due to the removal of Bid Management software from the Agreement.

5. The following unused conversions are removed from the Agreement:

- a. Accounting, Option 2, at a contract price of \$3,500;
- b. Accounts Payable, Option 1, at a contract price of \$3,400;
- c. Accounts Payable, Option 2, at a contract price of \$5,000;
- d. General Billing, Option 1, at a contract price of \$5,000;
- e. General Billing, Option 2, at a contract price of \$6,000; and
- f. Purchasing, Standard Option, at a contract price of \$4,500.

6. All other terms and conditions of the Agreement remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have entered into this agreement on the 12th day of March, 2015.

Tyler Technologies, Inc.
ERP and Schools Division

City of Huntsville

By: _____

By: _____

Name: _____

Name: Tommy Battle_____

Title: _____

Title: Mayor_____

Date: _____

Date: 3/12/15_____

ATTEST:

BY: _____

Charles E. Hagood

ITS: Clerk-Treasurer