



Legislation Text

File #: 24-252, **Version:** 1

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SUBJECT: Approval to Waive the Competitive Bidding Requirements by Utilizing a Piggyback Contract with US Digital Designs (USDD) Using the National Purchasing Partners (NPPGov) Contract in an Amount not to Exceed \$510,979.38 for the Purchase, Installation, and Maintenance of a New Fire Station Emergency Alerting System (\$442,826.35) Plus a 10% Contingency (\$44,282.64) Plus an Annual Maintenance Fee of \$23,870.39; Approval of a \$12,770.00 One-Time Cost with Tyler Technologies, Inc. to Accommodate the Upgrade to the Fire Station Emergency Alerting System and Approval of a \$1,848.00 Amendment to an Existing Maintenance Agreement with Tyler Technologies, Inc. of Which the Annual Maintenance Agreement will be Incorporated into the Future Agreement) for a Total Contracted Amount of \$913,985.91 with Tyler Technologies

REPORT IN BRIEF

Considers approving to waive the City's competitive bidding requirement pursuant to Merced Municipal Code Section 3.04.210 and using a piggyback contract with US Digital Designs using the National Purchasing Partners (NPPGov) Contract No. 2020 for the purchase, installation, and maintenance of a new fire station emergency alerting system (\$442,826.35) plus a 10% contingency (\$44,282.64) plus an annual maintenance fee of \$23,870.39 for a total cost not to exceed \$510,979.38 with USDD; Approval of a \$12,770.00 One-Time cost and a One-Time maintenance fee of \$1,840.00 amendment to an existing agreement for a total agreement amount of \$913,985.91 with Tyler Technologies. The maintenance fee is being considered One-Time as the agreement sunsets on 06/30/25 and will be renegotiated at that time.

RECOMMENDATION

City Council - Adopt a motion:

- A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code Section 3.04.210 for cooperative purchasing through NPPGov Contract #PS20350; and,
- B. Authorizing the purchase of a replacement fire station alerting system for one (1) dispatch center and five (5) fire stations with a total price not to exceed \$510,979.38 (Purchase, installation, and maintenance of \$442,826.35, 10% Contingency \$44,282.64, Annual Maintenance fee of \$23,870.39) with USDD; and,
- C. Approving Amendment #10 to the original contract with Tyler Technologies, Inc. in the amount of \$12,770.00 (one-cost) authorizing Tyler Technologies, Inc. to provide encoder interface installation between US Digital Design and the Tyler Technologies Computer Aided Dispatch system and a one-time maintenance fee (will be recurring, but is being considered one-time due to contract sunseting

on 06/30/25 and contract will be renegotiated in 07/01/25) with Tyler Technologies, Inc. in the amount of \$1,848.00; total contracted amount not to exceed \$913,985.91 and,

D. Authorizing the City Manager to execute the necessary documents and to approve change orders including 10% contingency not to exceed \$510,979.38 (USDD); and,

E. Authorizing the Finance Officer to make the necessary budget adjustments, and the City Purchasing Supervisor to issue the Purchase Order/Change Order(s).

ALTERNATIVES

1. Approve, as recommended by staff; or,
2. Approve, subject to conditions other than recommended by staff or,
3. Deny; or,
4. Refer to staff for reconsideration of specific items; or,
5. Continue to a future City Council meeting.

AUTHORITY

Title 3, Article III of the Merced Municipal Code, Purchases over Thirty-six Thousand Dollars.
Section 3.04.210 - Exemptions from competitive bidding

Except as otherwise provided in this chapter, competitive bidding requirements for purchases in excess of thirty-seven thousand dollars (\$37,000), and the “bidding threshold”, may be waived with the approval of the City Council. Waivers may be authorized for, but are not limited to, cooperative purchasing in conjunction with other governmental entities, professional services, annual service, or supply agreements, or purchases necessary for standardization on particular types of equipment. The bidding threshold shall be adjusted for inflation utilizing the same index and methodology as the bidding threshold in Section 3.04.080 of this code.

CITY COUNCIL PRIORITIES

As provided for in the FY 23/24 Adopted Budget.

DISCUSSION

Background

The ability for dispatchers to promptly alert first responders to a call for help is critical to the very core of the Fire Department’s mission to provide prompt response and render aid to the community. Delays in this critical lifeline of a 911 response system has direct negative impacts to: patient outcomes during medical emergencies, structural damage from fire, the chances of being successful in search and rescue, and first responder safety.

In 2011 the fire department was awarded a \$400,243.00 FY2010 FEMA Assistance to Firefighter Grant for the purchase of a fire station alerting system, which was installed in the dispatch center and all fire five stations. Thirteen years have elapsed since that system was installed and it is now considered to be at its end-of-life, as it is operated from a Windows XP operating system which is no longer supported by Microsoft. Due to the age of the equipment and technology, the system is

vulnerable to failure, which jeopardizes our ability to provide prompt response and aid to our community. Therefore, this was the catalyst to begin exploring alternatives to overcome the deficiency. Fortunately for the community, at the Council Meeting on 02/20/24, City Council authorized a mid-year \$460,000.00 supplemental appropriation for the one-time replacement cost of the hardware/installation of the fire station alerting system using Measure C funding. Council was apprised that there would be an annual ongoing maintenance cost of \$23,870.39, which the department would be able to absorb in their annual budget.

Fire Department personnel have explored various alerting systems (Motorola Solutions, Purvis Systems, and US Digital Designs by Honeywell) and learned that most responders in our region (Modesto Fire Department, Stanislaus County Office of Emergency Services, Stanislaus County 911, Patterson Fire Department, Stockton Fire Department, Stockton Police Telecommunications, Lathrop Manteca Fire District, Manteca, Lodi Fire Department, and Tracy.) contract with US Digital Designs (USDD) for the installation and maintenance of their station alerting system. Staff is recommending USDD for the purchase and installation of the system with the software interface being purchased from Tyler Technologies, Inc. A summary of the cost is as follows:

Vendor Name	One Time Cost	10% Contingency Cost	Total Cost With Contingency and No Maintenance Fee	Funding Source	Annual Maintenance Fee	Total Project Cost with Contingency & Maintenance Fee
US Digital Designs (Hardware/Install)	\$442,826.35	\$44,282.64	\$487,108.99	20013000 590003 \$487,108.99	\$23,870.39	\$510,979.38
Tyler Technologies, Inc. (Software)	\$ 12,770.00	\$ 0.00	\$ 12,770.00	20013000 590004 \$12,770.00	\$ 1,848.00*	\$14,618.00
TOTAL	\$455,596.35	\$44,282.64	\$499,878.99	\$499,878.99	\$25,718.39	\$525,597.38
*This is being considered a one-time cost, because the contract expires July 1, 2025 and the future maintenance is incorporated into the new contract.						

Due to the cost of the station alerting system, staff is requesting an Exemption from Competitive Bidding due to Cooperative Purchasing. The Merced Municipal Code Section 3.04.210 provides for an exception to the competitive bidding requirements where waivers may be authorized by City Council. The utilization of a cooperative purchasing contract ensures that prices are competitively bid and reduces the cost of goods and services by aggregating the purchasing power of multiple jurisdictions to obtain cost effective rates without conducting additional bidding. The proposed fire station alerting system will be provided by USDD, who is a member of the National Purchasing Partners (NPPGov), a national cooperative procurement organization offering publicly solicited contracts to governmental entities nationwide. NPPGov holds hundreds of competitively solicited cooperative contracts that focus on Fire/Rescue equipment of which the Fire Station Alerting system equipment was awarded to USDD. This contract satisfied formal competitive bid requirements. USDD is the authorized supplier for the Phoenix G2 fire station alerting system which will replace our obsolete system. On 01/06/20 the League of Oregon Cities on behalf of the National Purchasing Partners and its Government Division dba NPPGov issued RFP No. 2020 for the procurement of "Public Safety Software Solutions, Data Collection, Storage and Utilization". The RFP was published in the Daily Journal of Commerce and USA Today on 01/09/20. The RFP closed on 03/09/20 and contracts were awarded on 04/27/20. The contract with USDD started on 06/02/20 and ends on 06/02/26. This is a publicly solicited contract established through a Request for Proposal (RFP) process conducted by a Lead Public Agency and satisfies the City of Merced's formal competitive bid requirements.

The Public Safety computer aided dispatch and records management system (CAD/RMS) is an integral City system that allows Public Safety Dispatch to track, record, and reference every 911 telephone call received. This Tyler Technologies, Inc. supported system facilitates the City's Police and Fire response times that result in increase safety for Merced's residents, businesses, and visitors while reducing data entry processes and streamlining reporting. The City entered into a 5-year (07/01/20 through 06/30/25) software maintenance agreement that provides for software support and updates to the Tyler software suite. The city has completed several incremental upgrades to the existing CAD/RMS system and this one-time \$12,770.00 upgrade represents a modification to the system during which time the end-of-life software modules will be retired and replaced with the latest supported versions. An annual maintenance fee of \$1,848.00 is being considered a one-time cost, because it will be incorporated into the new master agreement in 07/01/25, resulting in a Tyler project cost of \$14,618.00. The Police Department is the lead on the Tyler Technologies agreement and their original agreement, and all amendments have been included in this Administrative Report as Attachment No. 6. It should be noted that prior to the proposed Tyler Technologies amendment, the contract and amendments are not to exceed \$899,367.91, and after this proposed \$14,618.00 amendment, we are requesting a not to exceed of \$913,985.91. Staff will work with Tyler to ensure that all the City's requirements are met, that no functionality will be lost due to the upgrade, and that Public Safety Dispatch remains fully operational during the transition.

IMPACT ON CITY RESOURCES

Total Project One-Time Cost is estimated at \$499,878.99. Funds will be derived from a \$460,000.00 supplemental appropriation via a mid-year adjustment to Measure C with the difference being derived from the department's FY 23/24 budget. Maintenance fees will be absorbed in the current fiscal year operating budget. It should be noted that the department will appropriate the future maintenance costs during the annual budgeting process.

ATTACHMENTS

1. NPPGov Cooperative Purchasing Agreement and Supporting Documents of Competitive Bidding
2. Intergovernmental Cooperative Purchasing Agreement
3. USDD Quote # CA_MRCD003 Revision # 7 (\$442,826.35)
4. USDD Quote # CA_MRCD004 Revision # 1 (\$23,870.39)
5. USDD - Layout of Equipment
6. Tyler Technologies Quote - One Time Cost & Maintenance Agreement
7. Tyler Contract and Amendments
8. Administrative Report No. 22-759 (Tyler Technologies - Previous Agreement & Amendments)