



Williamson County Purchasing Department
901 South Austin Avenue
Georgetown, Texas 78626
(512) 943-3553
www.wilco.org/purchasing
purchase@wilco.org

10/20/15

Williamson County Commissioners Court

Re: Sole Source request from ITS for software maintenance and support for the Tyler Technologies Odyssey Jail and Judicial software

Dear County Judge and Commissioners,

Recently our county ITS department made a request for the sole source purchase of support for the **Tyler Technologies Odyssey Jail and Judicial software**. After reviewing all documentation requested and provided by the ITS department, **I recommend qualifying this request as a sole source purchase per Texas Local Government Code section 262.003.**

The process has included the following:

- A signed Sole Source Justification Request submitted by Otis Coufal, Director of Administrative Services IT for Williamson County
- A written quote provided by the supplier
- A letter of justification from the supplier, establishing why their product / service is only available from their company
- A notarized Sole Source Affidavit completed by the supplier
- A signed letter of recommendation from Jay Schade, Sr. Director of Williamson County Technology Services

If you have any questions or concerns, please contact me at any time.

Sincerely,

Max Bricka
Williamson County
Purchasing Agent / Director



Single / Sole Source Justification Request

This request is for a: (choose only one)

- ☐ **Single Source Item** (goods or services are directed to this supplier because of standardization, warranty or other factors)
- ☒ **Sole Source Item** (goods or services are available from ONLY this supplier due to a unique capability, patent, copyright, secret process, or capability to meet the requirements of the solicitation)

Single / Sole Source justification requires additional documentation and requirements as listed below. **One of these steps requires placing a public notice in BidSync for 14 days, in order to allow any possible competitors to come forward with equivalent goods or services.** This step will be completed by the Purchasing Team that supports your office or county department after all required documents have been submitted.

Required Documentation that must accompany this request before this purchase can be considered (any missing documentation will result in delays). *Check all included documents:*

- ☒ This request form completed and signed
- ☒ A written quote from the supplier, listing the goods, services and pricing
- ☒ Letter of justification from the supplier (on company letterhead and signed by an authorized representative) establishing why they are Single / Sole Source
- ☒ Notarized Sole source affidavit completed by the supplier
- ☒ Signed letter of recommendation from the Elected Official or County Department Head

Requestor Name and County Office / Department:

Requestor Title: Director of Administrative Services IT Requestor Phone Number: 512-943-1464

Requested Single Sole Source Supplier:

Company Name: Tyler Technologies

Contact Name: Tammi Earnheart

Address 5101 Tennyson Parkway

City: Plano State: Texas Zip Code: 75024

Phone Number: 800-431-5776

Email Address: _____

Website: www.tylertech.com

Is the recommended supplier the manufacturer? ☒ Yes ☐ No

Does the manufacturer sell the item(s) through distributors? ☐ Yes ☒ No

Description of the Product or Service: (if additional space is needed, include a separate page) *Describe the full scope of work, including installation if required, items should include brand, model and part number if applicable.*

Software maintenance and support for the Tyler Technologies Odyssey Jail and Judicial software. The mods include: Jail manager, Court Administration, Case manager, Hot Checks, Jury, Judge Edition, eSignatures and Attorney Manager.

Schedule: *Identify the date items are needed to be delivered, or month work is to be performed. Please be specific and do not use "ASAP".*

October 1, 2015 thru September 30, 2016.

Estimated Cost: \$356,300 annually

SINGLE / SOLE SOURCE RATIONALE

Complete the following checklist:

The requested supplier is the only source of required item(s) or service(s) because:

Check all that apply:

- ☒ The required item or service is proprietary to the supplier
- ☒ The recommended supplier holds the patent on the requested item(s)
- ☒ The recommended supplier is the only supplier capable of performing the requested service
- ☒ A specific item is needed
- ☐ To be compatible or interchangeable with existing hardware
- ☐ As a spare or replacement hardware
- ☐ For the repair or modification of existing hardware
- ☐ For technical evaluation or testing
- ☒ Have there been any prior attempts to obtain competitive bids or proposals for the items or services that failed?

If so, please list and describe such attempts:

Yes, Williamson County has been a member of the Conference of Urban Counties since 2002 and joined the TechShare program in August 2004. We procured the Tyler Technologies Odyssey software system through the Conference of Urban Counties through a competitive bid process in December, 2006.

- ☒ There is a substantial risk in selecting another product or service provider.

If so, please describe:

With the software being proprietary to Tyler Technologies no other company would have the knowledge or expertise in supporting this product.

- ☒ It is not possible to obtain competitive bids for consideration.

If so, why:

No, because of the product being proprietary to Tyler Technologies.

☒ Are there any other companies who can provide the services or needed items?

If so, please list and provide explanation of why they were unable to meet the requirements:

No, because this is a proprietary software.

☐ List any other sources, suppliers, products or service providers that you reviewed in your selection process:

As mentioned above Williamson County went through a competitive bid process with the Conference of Urban Counties in December 2006.

☐ List all research methods that you reviewed in your selection process (i.e.: specific internet searches, trade publications, references, etc.):

None because it is proprietary to Tyler Technologies.

ACKNOWLEDGEMENT

☒ I affirm and acknowledge Williamson County's requirements, justification and criteria for Single / Sole Source purchases. I have gathered the required technical information, provided all required documentation, have made a concerted effort to review comparable / equal equipment or services to the best of my ability, and further affirm that there is no conflict of interest in my recommendation of the selected item(s), service(s) or supplier.

☒ I also acknowledge and understand that I may be subject to criminal prosecution for the willful falsification of information in this document. I, by the act of signing or typing my name below, hereby certify under penalty of perjury, under the laws of the State of Texas, the foregoing is true and correct.

Date: October 12, 2015

Signature: Otis Coufal

** By typing your name, this is equivalent to a legal signature*

NOTE: After a passage of time, an item or service may no longer qualify as a sole source purchase due to other similar items or services becoming available from other suppliers. Thus, all prior sole source determinations must be reapproved by the Williamson County Purchasing Department following completion of a Single / Sole Source Justification Request Process and satisfactory completion of such process must be noted on requisitions and purchase orders.



Technology Services

October 12, 2015

From: Jay Schade, Sr Director
Williamson County Technology Services

To: Max Bricka
Purchasing Agent / Director
Williamson County Purchasing

Subject: Single / Sole Source Justification Letter

I recommend that we identify Tyler Technologies as the sole source provider for all software licensing, maintenance and support of products offered by Tyler Technologies. These are proprietary products that are only offered by Tyler.

Specifically, the Tyler products used by Williamson County include the following:

- Case Manager
- Check Manager
- Jail Manager
- Judge Edition
- Law Enforcement
- Tyler Jury

Please let me know if you have any questions.

Thank you.

A handwritten signature in blue ink, appearing to read 'J Schade', written over a faint circular official seal of Williamson County.

Jay Schade, Sr Director
Williamson County Technology Services

WILLIAMSON COUNTY

512.943.1460 Fax 512.943.1488
301 SE Inner Loop, Suite 105
Georgetown, Texas 78626



5101 Tennyson Parkway
Piano, Texas 75024

P: 972.713.3770
F: 972.713.3777

www.tylertech.com

October 8, 2015

To Whom It May Concern:

This letter serves to notify that the Odyssey and Tyler Jury product suites are sole source products sold exclusively by Tyler Technologies, Inc. (Tyler).

These products are proprietary to Tyler. All software licensing, maintenance and support of the products are handled by Tyler.

Odyssey and Jury software products and services provided by Tyler to Williamson County include:

- Case Manager
- Check Manager
- Jail Manager
- Judge Edition
- Law Enforcement
- Tyler Jury

Please contact me at tammi.earnheart@tylertech.com or 972.713.3770 if you have questions about the information above.

Sincerely,

A handwritten signature in blue ink that reads "Tammi Earnheart".

Tammi Earnheart

Senior Support Services Manager, Operations



Williamson County Purchasing Department
901 South Austin Avenue
Georgetown, Texas 78626
(512) 943-3553
www.wilco.org/purchasing
purchase@wilco.org

NOTARIZED SOLE-SOURCE PURCHASE AFFIDAVIT

STATE OF TEXAS
COUNTY OF WILLIAMSON

KNOW ALL MEN BY THESE PRESENTS THAT:

Before me, the undersigned authority duly authorized to take acknowledgments and administer oaths, on this day personally appeared TAMMI EARNHEART, who after being duly sworn on oath stated the following:

My name is TAMMI EARNHEART. My title is SR. SUPPORT MANAGER, OPERATIONS. I am aware that the Williamson County Purchasing Department is required to comply with competitive bidding requirements of Chapter 262 of the Texas Local Government Code. I am aware that the statutory competitive bidding provisions do not apply to the purchase of an item that can be obtained from only one source. See, Texas Local Government Code section 262.003.

Sole-source items include:

Items for which competition is precluded because of the existence of patents, copyrights, secret processes, or monopolies, films, manuscripts, or books, electric power, gas, water, and other utility services, and captive replacement parts or components for equipment.

I have represented to the Purchasing Department of Williamson County and I hereby warrant that as of the date below, I am the sole-source supplier of the following item: ODYSSEY. I am the sole-source supplier of this item because: ODYSSEY IS PROPRIETARY SOFTWARE OWNED BY TYLER TECHNOLOGIES. I agree that if I ever cease being the sole-source supplier of this item, I shall immediately make a full disclosure in writing to the Williamson County Purchasing Department of all relevant facts and circumstances.

IN WITNESS WHEREOF, the undersigned has executed this Affidavit on the 2 day of OCTOBER, 2015.

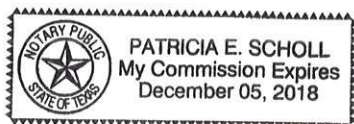
Tammi Earnheart
[Signature]

TAMMI EARNHEART, SR. SUPPORT MANAGER,
[Printed Name] [Title] OPERATIONS

SWORN TO AND SUBSCRIBED before me on OCTOBER 2, 2015, by
PATRICIA E. SCHOLL
[Printed Name]

Patricia E. Scholl
[Signature] Notary Public

State of TEXAS
My Commission expires on DECEMBER 05, 2018





Remittance:
Tyler Technologies, Inc.
(FEIN 75-2303920)
P.O. Box 203556
Dallas, TX 75320-3556

Invoice

| Invoice No | Date | Page |
|------------|------------|--------|
| 020-9838 | 09/01/2015 | 1 of 1 |

Empowering people who serve the public®

Questions:

Tyler Technologies - Courts & Justice
Phone: 1-800-772-2260 Press 2, then 3
Fax: 1-866-673-3274
Email: ar@tylertech.com



Bill To: Williamson County Information Serv.
Attn: Tammy McCulley
301 SE Inner Loop, Ste. 105
Georgetown, TX 78626

Ship To: Williamson County Information Serv.
Attn: Tammy McCulley
301 SE Inner Loop, Ste. 105
Georgetown, TX 78626

| Customer No. | Ord No | PO Number | Currency | Terms | Due Date |
|--------------|--------|-----------|----------|-------|------------|
| 41563 | 4459 | | USD | NET30 | 10/01/2015 |

| Date | Description | Units | Rate | Extended Price |
|---|--|-------|------------|----------------|
| Contract No.: Williamson County | | | | |
| | Williamson County Odyssey Check Manager Software Standard Maintenance and Support | 1 | 17,727.31 | 17,727.31 |
| : | | | | |
| Maintenance: Start: 01/Oct/2015, End: 30/Sep/2016 | | | | |
| | Williamson County Odyssey Case Manager Enterprise Software Standard Maintenance and Support | 1 | 206,812.79 | 206,812.79 |
| Maintenance: Start: 01/Oct/2015, End: 30/Sep/2016 | | | | |
| | Williamson County Odyssey Document Management e-Signatures + merged to TIFF Standard Maintenance and Support | 1 | 945.21 | 945.21 |
| Maintenance: Start: 01/Oct/2015, End: 30/Sep/2016 | | | | |
| | Williamson County Odyssey Document Management Record on Appeal Creator Standard Maintenance and Support | 1 | 3,072.75 | 3,072.75 |
| Maintenance: Start: 01/Oct/2015, End: 30/Sep/2016 | | | | |
| | Williamson County Odyssey Integration Toolkits: Case Manager Libraries Standard Maintenance and Support | 1 | 11,817.84 | 11,817.84 |
| Maintenance: Start: 01/Oct/2015, End: 30/Sep/2016 | | | | |
| | Williamson County Odyssey Jail / Law Enforcement Software Standard Maintenance and Support | 1 | 73,861.78 | 73,861.78 |
| Maintenance: Start: 01/Oct/2015, End: 30/Sep/2016 | | | | |
| | Williamson County Tyler Jury Software Standard Maintenance and Support | 1 | 14,181.41 | 14,181.41 |
| Maintenance: Start: 01/Oct/2015, End: 30/Sep/2016 | | | | |
| | Odyssey SessionsWorks Judge Edition - Standard Annual Maintenance | 1 | 13,626.90 | 13,626.90 |
| Maintenance Start: 01/Oct/2015, End: 30/Sep/2016 | | | | |

****ATTENTION****

Order your checks and forms from
Tyler Business Forms at 877-749-2090 or
tylerbusinessforms.com to guarantee
100% compliance with your software.

Subtotal 342,045.99

Sales Tax 0.00

Invoice Total 342,045.99