

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: PAUL LOWENTHAL, DIVISION CHIEF FIRE MARSHAL
FIRE DEPARTMENT
BRANDALYN TRAMEL, PURCHASING AGENT,
FINANCE DEPARTMENT
SUBJECT: APPROVAL OF COOPERATIVE PURCHASE OF DIGITAL
HEALTH DEPARTMENT (DHD) SOFTWARE FROM TYLER
TECHNOLOGIES, INC. TO UPDATE AND MODERNIZE FIRE
INSPECTION SOFTWARE

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Fire and Finance departments that the Council, by resolution, utilize the cooperative purchasing program in Section 3-08.160 of the City Code and approve and authorize the City Manager to negotiate and execute a Software as a Service Agreement for Digital Health Department (DHD) software from Tyler Technologies, Inc., Plano, Texas in an amount not to exceed \$189,545 over 3 years to update and modernize antiquated software used for Fire Department related inspections and tracking compliance as required by state law.

EXECUTIVE SUMMARY

The Fire Department needs to update and modernize the software program used for tracking Fire Department related inspections.

This recommendation will enable the Fire Department to track inspections, electronically relay data to the California Environmental Reporting System (CERS), analyze CERS data while in the field, interface with other City software and databases, and provide emergency response plans and site maps for responders in real time. Use of the CUPA Environmental Trust Fund grant will partially fund this purchase and the remaining to be funded thru the PG&E settlement funds.

BACKGROUND

The Fire Department performs annual inspections and prevention inspections for the City of Santa Rosa. The Fire Department is also responsible for inspecting and

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reporting to California Environmental Reporting System (CERS). The Fire Department is currently using an antiquated system involving paper reporting. Other local agencies such as Sonoma County Fire Prevention and HazMat Division, County of Marin CUP, Healdsburg Fire Department and Petaluma Fire Department have made the move to the DHD software and have the ability to electronically manage their CUPA and/or Prevention Division assignments. Tyler Technologies acquired this unique software into its portfolio in October of 2017.

PRIOR CITY COUNCIL REVIEW

Not applicable.

ANALYSIS

Currently the Fire Department's Prevention Division is using multiple software programs that do not interface, paper reporting methods and manually entering inspections.

This recommended system upgrade would ensure the Fire Departments ability to manage the Prevention Division's inspections and Certified Unified Program Agency (CUPA) program efficiently and successfully using other City software and CERS. The Santa Rosa Fire Department is a CUPA agency and is certified by CalEPA to implement and enforce six state hazardous waste and hazardous materials regulatory management programs.

Santa Rosa City Code Section 3-08.160 allows for cooperative purchases when advantageous to the City, including the "use of purchasing agreements maintained by the State, County, or other public agencies." Section 3-08.160 requires, to the extent possible, where the City joins such purchases that the purchases be competitively awarded, and documentation as to the advantage of the cooperative purchase be retained.

The City's Purchasing Agent identified purchasing agreements maintained by other similarly situated agencies. The City of Ventura awarded a similar Software as a Service Agreement (SaaS) contract in September 2019. The County of Glenn has been utilizing this software successfully since 2017. The City of El Segundo has utilized this platform since 2013. City staff determined that the City of Ventura and the City of El Segundo awarded the Tyler Technology Agreement through a competitive selection process. The County of Glenn utilized a sole source award for the Tyler Technologies software.

Based on the pricing the City directly obtained, the specialized nature of the software for purchase, and the purchasing agreements maintained by other public agencies, Fire and Purchasing staff consider it advantageous to the city to authorize this purchase under the SaaS utilizing the cooperative purchasing program approach. Purchasing staff has retained all documentation demonstrating the advantage of the cooperative

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purchase, including all solicitation documentation and related SaaS Agreements from the City of Ventura, County of Glenn and City of El Segundo.

The SaaS Agreement that Tyler Technologies will require the City to execute is a non-standard agreement that includes unfavorable provisions and lacks many of the terms, conditions and protections the City typically insists upon in the City's standard contracts to best protect the City's interests. Among other issues, the SaaS Agreement requires the City to indemnify Tyler Technologies, disclaims all warranties except those expressly provided, and a generally limits the vendor's liability to the fees paid on the contract. City staff are familiar with similar terms in other software agreements approved for City use and those executed between other public agencies and Tyler Technologies. Based on the services being provided, staff nevertheless has determined that the benefits associated with the SaaS Agreement with Tyler Technologies outweighs such legal risks.

FISCAL IMPACT

Use of the CUPA Environmental Trust Fund grant will partially fund this purchase and the remaining to be funded thru the PG&E settlement funds.

ENVIRONMENTAL IMPACT

This action is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3) and 15378 in that there is no possibility that the implementation of this action may have significant effects on the environment, and no further environmental review is required.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Not applicable.

ATTACHMENTS

- Resolution / Exhibit A - DHD SaaS Contract

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