

Clause 15 in Report No. 18 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on November 19, 2015.

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## Software Maintenance and Service Contract Renewals

Committee of the Whole recommends adoption of the following recommendations contained in the report dated October 21, 2015 from the Regional Solicitor:

### 1. Recommendations

It is recommended that:

1. Council authorize the renewal of software maintenance and services contracts with the vendors listed in Attachment 1, Table 1, effective November 2015, and the Regional Solicitor be authorized to renew and execute the agreements annually for up to five years, subject to the costs being within the annual budget approved, and satisfactory performance of services by the vendors.
2. Council authorize the Region to extend collection agency service contracts with vendors listed in Attachment 1, Table 2, for an additional six months, beyond the original five year contract, pending the completion of the RFP process.

### 2. Purpose

This report seeks Council authorization to renew software maintenance and service contracts required over a period longer than five years. Compatibility with existing facilities, equipment or services is the paramount consideration for the recommendations.

This report also seeks Council authorization to extend collection service contracts with two providers for an additional six months, which will exceed the five years, to allow for the completion of an RFP process in 2016.

### 3. Background

The Purchasing Bylaw (2014-53) requires Council approval for direct purchases where the value is greater than \$100,000 or the total term exceeds 5 years.

On June 26, 2014, Council adopted an amended Purchasing Bylaw (2014-53) which permits direct purchases in certain circumstances listed under Section 9.1 (a) and (b), including where compatibility of the purchase with existing equipment, facilities or services is the paramount consideration and the total costs exceed \$100,000. Council approval is also required to renew or extend contracts having a total term in excess of five years.

An inventory was undertaken of all Court Services vendor agreements including software contracts to ensure compliance with the Purchasing Bylaw, which no longer includes exemptions previously permitted under Schedule A. Attachment 1, Tables 1 and 2 provides details on each item, including a general background and description, annual cost and estimated five year total costs.

Upon review, it was determined that the term of some agreements within Court Services has either been exceeded or will exceed the five year threshold of the Purchasing Bylaw and Council approval is required for renewal. In addition, some agreements were exempt under Schedule A, but are now subject to the Purchasing Bylaw and require Council approval as direct purchases.

### 4. Analysis and Options

Court Services is requesting approval for the software and service agreements listed in Schedule 1, Tables 1 and 2. Court Services uses a range of software and service providers to support delivery of its program. The software and services listed in Table 1 have been in use for several years, and their performance has satisfied the department's expectations. The direct purchases listed in Table 1 meet the requirements under section 9.1(a) of compatibility with existing equipment, facilities or services.

The collection services contracts set out in Table 2 were originally procured through a competitive process. They will expire in November 2015. Staff requires an extension of the terms of these contracts for six months to ensure continued service delivery pending a completion of a competitive procurement process in 2016.

Link to key Council-approved plans

This report is consistent with the 2015 to 2019 Strategic Plan's priority of good government. It supports the Plan's objective of ensuring a fiscally prudent and efficient Region.

## 5. Financial Implications

The contracts listed in Attachment 1 include the estimated annual cost in 2016. The attachment also includes the estimated cost between January 1, 2016 and December 31, 2020. The total five year cost is premised on continued satisfactory over the next five years.

The contracts listed in Attachment 1, Table 2 includes the estimated six-month costs in 2016. It also includes the original contact value.

## 6. Local Municipal Impact

There are no direct municipal impacts as a result of this report.

## 7. Conclusion

Software maintenance and collection service contracts are key for Court Services to support its business mandate.

The Purchasing Bylaw requires Council authorization to award direct purchases where compatibility of the purchase with existing equipment, facilities or services is the paramount consideration and the total costs exceed \$100,000, and to renew or extend contracts having a total term in excess of five years.

Court Services seeks Council approval to renew and extend contracts listed in Attachment 1 to continue to meet its operational requirements.

For more information on this report, please contact Harry Fok, Director, Court Operations at ext. 73302.

## Software Maintenance and Service Contract Renewals

The Senior Management Group has reviewed this report.

October 21, 2015

Attachments (1)

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Accessible formats or communication supports are available upon request

**Software Maintenance and  
Service Contract Renewals**

<b>Table 1: Direct Purchase Renewals in place for 5 Years or Longer</b>						
<b>#</b>	<b>Provider</b>	<b>Product or Service</b>	<b>Branch</b>	<b>Annual Cost (2016)</b>	<b>Total Five Year Cost 2016 to 2020 (Estimated*)</b>	<b>Description</b>
1	Trica CXM Solutions  Canadian Distributor of QMatic	Customer Ticketing Queue  Software maintenance	Court Services	\$4,900	\$24,500	Used to manage the flow of customers through a ticketing queue
2	High Criteria Inc.	Liberty Recording Systems  Software maintenance	Court Services	\$9,900	\$49,500	A multi-channel digital court recording system for all court sessions and intake court
3	York Simcoe Mailing	Meter Rental and Service  Service Contract	Court Services	\$16,000	\$76,000	Lease agreement for postage equipment used to provide notices of trials and early resolution meetings to members of the public

\* Annual costs are rounded-up, can be approximate, and may increase every two to three years

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**Table 2: Extend Beyond 5 Years**

#	Provider	Products or Service	Branch	Six Month Cost (Estimated*) (2016)	Original Contract Value (Contract awarded 2010)	Description
1	iQor Canada Ltd	First Placement Collection Agency Service Contract	Court Services	\$66,891	\$133,782	The agency assists with the collections of unpaid fines and recovering aged accounts.
2	Nor-Don Collection Network Inc.	First Placement Collection Agency Service Contract	Court Services	\$71,380	\$142,760	The agency assists with the collections of unpaid fines and recovering aged accounts.

\* Six Month costs are rounded-up, can be approximate, and subject to increase.