

The Regional Municipality of York

Committee of the Whole
Finance and Administration
September 19, 2019

Report of the Regional Solicitor

Hardware and Software Support Contracts – Court Services

1. Recommendations

1. Council authorize agreements the vendor listed in Private Attachment 1 for hardware and software support services under the direct purchase provisions of the Purchasing Bylaw on the following terms:
 - a. The term of the agreements be for five years, starting September 1, 2019 and ending August 31, 2024
 - b. The Region pay the vendor listed in Private Attachment 1 an estimated total of \$20,000 divided into annual payments of \$4,000 per year, excluding HST
2. Council authorize the Regional Solicitor to execute the agreement on behalf of the Region and exercise any options to renew annually for up to five years, subject to satisfactory performance of the service by the vendor.

2. Summary

This report seeks authority for the Region to enter into two five-year agreements with the vendor listed in Private Attachment 1 for hardware and software support services under the direct purchase provisions of the Purchasing Bylaw. These direct purchases are required to ensure compatibility with the Region's existing systems. Council approval is required because the aggregate term of the contracts will exceed five years.

Attachment 1 to this report is private pursuant to section 2.39(2) of the *Municipal Act, 2001*, due to security of municipal property.

Key Points:

- Court Services relies on hardware and software to date stamp each certificate of offence to ensure the seven-day legislative filing requirements are met as set out under the *Provincial Offences Act*
- The software and hardware is also used to scan the images of the tickets into the Courts Administrative Management System (CAMS) to improve service delivery to Prosecutions and the public
- The current agreement for software services, approved by Council in June 2017, expires August 2019

- The current agreement for hardware services, approved by the Regional Solicitor in May 2016, expires in August 2019
- The new agreements are for five years, from September 1, 2019 to August 31, 2024
- Council approval is required under the Purchasing Bylaw since the aggregate term of the proposed contract is greater than five years

3. Background

Court Services acquired the hardware and software through a Request for Proposal in 2010

In 2009 Court Services issued a Request for Proposal (RFP) for the data entry of certificates of offence under Part I of the *Provincial Offences Act* (primarily traffic tickets) into the Integrated Court Offences Network (ICON) and awarded a contract for services. The hardware and software purchased from the vendor are required for the transfer of data into ICON and to date stamp each certificate of offence to ensure the seven day legislative filing requirements are met as set out under the *Provincial Offences Act*.

In 2018, the Region moved to electronic tickets which eliminated the need for manual data entry; however, Court Services relies on this hardware and software to support the date stamping and scanning of the images of the tickets into the Courts Administrative Management System (CAMS) to improve service delivery to Prosecutions and the public.

The current agreement for software services, approved by Council in June 2017, expires August 2019. Court Services proceeded with a contract term of “up to three years” to align the expiry dates between both service agreements.

Regional Solicitor approval was received to authorize the agreement with the vendor for hardware support for three one-year terms effective April 2016. The current agreement expires in August 2019.

4. Analysis

The Purchasing Bylaw requires Council approval of contracts with aggregate terms in excess of five years for direct purchases. The aggregate term of the software and hardware service agreements with Court Services will be eight years, thereby exceeding the five year threshold. Council approval is therefore required to enter into new agreements with this vendor under the direct purchase provision of the Purchasing Bylaw.

Court Services relies on the hardware and software to ensure the transfer of data in an efficient and timely manner. Due to the complexity of business needs, the operational impact to change and budget considerations, the software and equipment is not replaced frequently. Without the software or hardware, Court Services would be unable to utilize existing equipment and would incur additional costs associated with the transfer of data to the keying service provider and data stamping each certificate of offence.

The support agreements provide access to all software updates, upgraded features and ongoing technical support. The service agreements are compatible with existing hardware and the performance has satisfied the department's expectations.

5. Financial

The estimated five-year total costs are \$20,000 and are provided for in the Court Services yearly budgets.

6. Local Impact

There are no local municipal impacts associated with this report.

7. Conclusion

The report seeks Council approval to enter into a contract with the vendor listed in Private Attachment 1 for the hardware and software support services under the direct purchase provisions of the Purchasing Bylaw. Compatibility is a paramount consideration in the Region's continued use of the software and hardware.

The new agreements are for a five-year term, from September 1, 2019 to August 31, 2024 at an estimated total cost of \$4,000 per year. Service support contracts are essential for Court Services to support its business mandate.

For more information on this report, please contact Lisa Brooks, Director Court Operations at 1-877-464-9675 ext. 73209. Accessible formats or communication supports are available upon request.

Recommended by: **Joy Hulton**
Regional Solicitor

Approved for Submission: **Bruce Macgregor**
Chief Administrative Officer

August 14, 2019
Private Attachments (1)
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