



DEPARTMENT OF PUBLIC SAFETY
BUREAU OF POLICE
ROOSEVELT SQUARE
MOUNT VERNON, NY 10550
(914) 665-2500

DAVID GIBSON
COMMISSIONER

JENNIFER LACKARD
DEPUTY COMMISSIONER

MARCEL OLIFIERS
CHIEF OF OPERATIONS

SHAWYN PATTERSON - HOWARD
MAYOR

June 19, 2024

REVISED

Honorable Members of the City Council
Through the Office of the Mayor
City Hall- One Roosevelt Square
Mount Vernon, NY 10550

Dear Honorable Members,

Re: REQUEST AUTHORIZING THE MAYOR TO ENTER AN AMENDED AGREEMENT WITH TYLER TECHNOLOGIES FOR ADDITIONAL SOFTWARE

This letter respectfully requests the Honorable Members of the City Council to approve legislation authorizing the Mayor to enter into an amended contract to expand the City's current agreement with Tyler, the Public Safety division of Tyler Technologies, Inc. in the amount of an additional **\$179,475.00**. This request replaces a previously submitted referral letter dated January 30, 2024 (held at City Council on February 14, 2024) and is a change order to the contract, of the same, signed by the Mayor on September 17, 2021, in the amount of \$705,370.

By way of background, Tyler Public Safety is a global public service provider for law enforcement records management software and has had an ongoing relationship with the Police Department, prior to the Patterson-Howard administration. Intended to replace the current records management software and computer aided dispatch vendor, IMPACT, a request was made by the (former) Commissioner of Public Safety (Harris) to transition to Tyler Technologies on a 10-year agreement between December 2019 and December 2028) at \$180,706 per year for a total contract amount of \$1,807,060. This ordinance was adopted by City Council on January 9, 2019, was approved by the Board of Estimate on January 29, 2019 and, as such, authorized the (former) Mayor (Thomas) to sign the contract which was dated January 31, 2019. No evidence can be found to support that the Tyler Public Safety contract was properly procured.

Between 2019 and 2020, however, no payments were made to Tyler Technologies. In late 2020, the Police Department did a review of its technology resources and determined that while there was an executed contract with Tyler Technologies, the Police Department did not have the hardware to implement the transition to the new records management system and that the contract would need to be renegotiated.

In early 2021, the (former) Commissioner of Management Services (Uzamere) renegotiated a new contract with Tyler Technologies which waived the first two years (2019-2020) of payments owed on the 2019 agreement and reduced the total contract amount from \$1,807,060 to \$705,370.

On July 8, 2021, the (former) Commissioner of Management Services (Uzamere) made a request to the City Council to make payment to Tyler Technologies, in the amount of \$160,000 out of A3120.416. The ordinance was not adopted on July 14, 2021. On July 16, 2021, a special meeting of the City Council was held where the (former) Commissioner of Public Safety (Scott) made a request to the City Council to make payment to Tyler Technologies, in the amount of \$160,000 – and that ordinance was adopted on the same and approved by the Board of Estimate on July 20, 2021. Also included with that request was the amended contract with Tyler Technologies for \$705,370.

On September 17, 2021, the (current) Mayor (Patterson-Howard) signed the amended Tyler Technologies contract with the total investment summary in the amount of \$705,370.

- Tyler Software fees of \$321,345
- Tyler Service fees of \$288,500
- Third Party Hardware, Software and Services of \$31,525
- Travel and Living Expenses of \$64,000
- Total: \$705,370

The 2021 contract also included payment deadlines of \$160,000 and \$161,345 towards the Total Tyler Software Fees to be due by December 31, 2022. No evidence can be found to support the (former) Commissioner of Management Services (Uzamere) or Commissioner of Public Safety (Scott)'s request to City Council giving authorization for the Mayor (Patterson-Howard) to sign the 2021 amended Tyler Technologies contract.

Throughout 2022, the (former) Commissioner of Management Services (Uzamere) worked with the Police Department to acquire the necessary hardware to support the technical infrastructure required to implement to the new Tyler Technologies records management software. By early 2023, the Police Department had the proper technical infrastructure in place to begin the systems transition and worked with the Finance Department to pay the outstanding monies owed to Tyler Technologies.



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The outstanding balance on the Total Tyler Software fees of \$321,345 was divided amongst two payments: Check #: 155159 dated February 24, 2023 in the amount of \$160,672.50 on Invoice #: 130-126719; and Check #: 156335 dated June 22, 2023 in the amount of \$189,432.50 (which provided payment on Invoice #: 130-133885 for \$160,672.50 and Invoice #: 130-126744 for \$28,760; the latter referring to miscellaneous third party fees and travel expenses).

Throughout late 2023 and early 2024, the Police Department continued conversations with Tyler Technologies to discuss the system rollout plan. It was then that the Police Department realized that the renegotiated contract of \$705,370, signed in 2021, did not include key features such as crime mapping, interfaces with the City's personnel data management system (Kronos) and the new body camera program (Axon); the system did not allow for the capture of demographic profiling data nor did it include modules to manage equipment and inventory or help track use of force events. The added features embedded in the public safety data analytic module are *critical* to the Department's reporting and compliance with the Department of Justice's ongoing investigation into MVPD patterns and practices.

On April 24, 2024, the Honorable Council did approve an ordinance updating the City of Mount Vernon's Procurement procedures. Section 6, titled 'Item Excepted from these Policies and Procedures by the City Council', subsection *A*, titled 'Professional services or services requiring special or technical skill, training or expertise', sub-subsection *b(ix)* allows for an exemption to the solicitation of alternate proposals or quotations to competitive procurement procedures, stating '*Computer software or programming services for customized program or services involved in substantial modification and customizing of prepackaged software*'. As a result, I request that the additional software being requested, that being software that is integrated into Tyler's already contracted customized software and only available from Tyler, be *exempt* from the RPF process as it cannot be bought 'off the shelf'.

Additionally, Tyler Technologies' software is available on Sourcewell's Cooperative Purchasing platform, by way of **Sourcewell Contract 090320-TTI**.

Please note, the requested \$179,475.00 is a one-time payment.

There is a new recurring cost of \$29,670 for said software from Year 2025 on, that will be accounted for in future Public Safety budgets.

Funds for payment are available in the 2024 Public Safety Budget - Line A3120.416 (Technology Upgrades).

If it meets with your Honorable Body's approval, please adopt an ordinance granting it approval.

Sincerely,

A handwritten signature in black ink that reads "David Gibson". The signature is written in a cursive, flowing style.

David Gibson
Commissioner of Public Safety