

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE TERMINATION OF THE AGREEMENT WITH TYLER TECHNOLOGIES INC. FOR ENERGOV SOFTWARE.

WHEREAS, on June 18, 2014, pursuant to Resolution No. R-2014-160, the City Commission authorized the appropriate City Officials to execute an Agreement with Tyler Technologies, Inc. for the purchase of a plan review, permitting, code enforcement, business license and fire inspection system, EnerGov; and

WHEREAS, in accordance with Section 38.40(C)(5) of the City's Purchasing Ordinance, the City piggybacked on the Town of Jupiter Agreement with Tyler Technologies, executed on January 2013, to procure and execute its Agreement with Tyler Technologies, effective June 18, 2014, for a not to exceed amount of \$650,000.00; and

WHEREAS, Article VI, Section 6.1(C) of the Town of Jupiter Agreement allows for the termination of the licenses by mutual agreement of the parties; and

WHEREAS, the City has opted to suspend its implementation of EnerGov Software; and

WHEREAS, since the execution of the Agreement with Tyler Technologies, Inc., the parties have reevaluated the necessity for such services and mutually agreed that such services are no longer required and it is in the best interest of both parties to terminate the Agreement; and

WHEREAS, Tyler Technologies, Inc. and the City have agreed to execute the attached Termination Agreement and Mutual Release, and Tyler Technology, Inc. has agreed to provide a refund to the City of \$82,510.80; and

WHEREAS, pursuant to Section 38.48(A) of the City's Purchasing Ordinance, the City Commission must authorize the termination of a contract when it is without cause and such decision requires at least a 5/7ths affirmative vote;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That it hereby approves the termination of the Agreement with Tyler Technologies Inc. relating to the EnerGov software system for a plan review, permitting, code enforcement, business license and fire inspection system.

Section 2: That it hereby approves and authorizes the execution by the appropriate City Officials of the attached Termination and Mutual Release between the City of Hollywood and Tyler Technologies, Inc. together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legality by the City Attorney.

Section 3: That City staff is hereby directed to forward a copy of this Resolution to Tyler Technologies, Inc.

Section 4: That this resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2016.

PETER BOBER, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM AND LEGALITY
for the use and reliance of the
City of Hollywood, Florida, only.

JEFFREY P. SHEFFEL, CITY ATTORNEY