

**CITY OF SAN ANTONIO  
MUNICIPAL COURTS DEPARTMENT  
Interdepartmental Correspondence**

**CONSENT AGENDA**  
**ITEM NO. 20**

**TO:** Mayor and City Council

**FROM:** Quentin B. Porter, Municipal Courts Department

**THROUGH:** Terry M. Brechtel, City Manager

**COPIES:** File

**SUBJECT:** **An Ordinance Authorizing a Professional Services Contract with, and ratifying services performed by Open Systems Group (OSG) to implement the Electronic Document Management System for Municipal Courts**

**DATE:** January 9, 2003

**SUMMARY AND RECOMMENDATIONS**

An ordinance authorizing a professional services contract with, and ratifying services performed by, Open Systems Group (OSG) in an amount not to exceed \$510,000, at a rate of \$85.00 per hour, to implement the Electronic Document Management System for Municipal Courts for the period beginning October 1, 2002 and ending October 31, 2004.

Staff recommends approval.

**BACKGROUND INFORMATION**

In January 2000, OSG began work on the implementation of an Electronic Document Management System for Municipal Courts. Upon completion, this system will allow the imaging and electronic storage and retrieval of all traffic and non-traffic court cases and will replace the current paper files.

The contractor has developed the programming and interface requirements to allow implementation of the first three phases of the project. Currently, all traffic and non-traffic citations are imaged; cases are created from these images; and selected court documents are scanned.

There are three planned phases remaining, which are scheduled to be implemented during FY 2003. The fourth phase includes the imaging of documents related to community service, defensive driving, probation, and show cause cases. The fifth phase includes the imaging of documents relating to trials. The final phase incorporates the imaging of warrants and the scanning of remaining judicial documents.

The prior contract was authorized by City Ordinance 93601, which was administered by ITSD, and expired on September 30, 2002.

**POLICY ANALYSIS**

The proposed ordinance will provide Municipal Courts with programming services and maintenance support to ensure the continued development and complete implementation of the Document Imaging Project. Because of previous programming and to provide project continuity, a continued contractual relationship with this vendor is desirable.

This contract is exempt from a competitive solicitation process. The developer of the software, Open System Group (OSG) owns the copyrights to the software and is the only contractor authorized to make modifications.

### **FISCAL IMPACT**

Total expenditures for this ordinance will not exceed \$510,000.

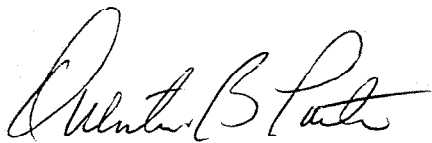
The Texas Code of Criminal Procedures, Article 102.0172 established a "*Municipal Court Technology Fund*," which requires a defendant convicted of a misdemeanor offense in a municipal court of record to pay a technology fee not to exceed \$4 as a cost of court. This fund may be used only to finance the purchase of technological enhancements to include such items as an imaging system.

### **COORDINATION**

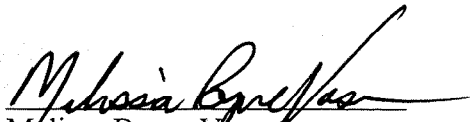
This item has been coordinated with the following departments: Finance, Office of Management and Budget, Information Technology Services, Asset Management, Risk Management, Purchasing & General Services, and the City Attorney's Office.

### **SUPPLEMENTAL COMMENTS**

The required *Discretionary Contracts Disclosure* Form submitted by Open Systems Group is attached.



Quentin B. Porter  
Municipal Courts Director



Melissa Byrne Vossmer  
Assistant City Manager

Approved:



Terry M. Brechtel  
City Manager

# City of San Antonio

## Discretionary Contracts Disclosure\*

For use of this form, see City of San Antonio Ethics Code, Part D, Sections 1&2

Attach additional sheets if space provided is not sufficient.

State "Not Applicable" for questions that do not apply.

\* This form is required to be supplemented in the event there is any change in the information under (1), (2), or (3) below, before the discretionary contract is the subject of council action, and no later than five (5) business days after any change about which information is required to be filed.

### Disclosure of Parties, Owners, and Closely Related Persons

For the purpose of assisting the city in the enforcement of provisions contained in the City Charter and the code of ethics, an individual or business entity seeking a discretionary contract from the city is required to disclose in connection with a proposal for a discretionary contract:

(1) the identity of any **individual** who would be a party to the discretionary contract;

John Marx, Eric Ewen, John L. Truitt, Bruce Murchison, James Collier, David Caves, Timothy Rayburn, William Dagle, William Watson, Walter Steins, Tracy Debose

(2) the identity of any **business entity**<sup>1</sup> that would be a party to the discretionary contract:  
Open Systems Group, Inc.  
and the name of:

(A) any individual or business entity that would be a *subcontractor* on the discretionary contract;

No subcontractors are contemplated for this contract.

(B) any individual or business entity that is known to be a *partner*, or a *parent* or *subsidiary* business entity, of any individual or business entity who would be a party to the discretionary contract;

Para-Docs, LLC

(3) the identity of any *lobbyist* or *public relations firm* employed for purposes relating to the discretionary contract being sought by any individual or business entity who would be a party to the discretionary contract.

Not Applicable

<sup>1</sup> A *business entity* means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law.

**Political Contributions**


Any individual or business entity seeking a discretionary contract from the city must disclose in connection with a proposal for a discretionary contract all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made directly or indirectly to any *current* or *former member* of City Council, any *candidate* for City Council, or to any *political action committee* that contributes to City Council elections, by any individual or business entity whose identity must be disclosed under (1), (2) or (3) above. Indirect contributions by an individual include, but are not limited to, contributions made by the individual's spouse, whether statutory or common-law. Indirect contributions by an entity include, but are not limited to, contributions made through the officers, owners, attorneys, or registered lobbyists of the entity.

To Whom Made:	Amount:	Date of Contribution:
None		

**Disclosures in Proposals**

Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which, reasonably understood, raise a question<sup>2</sup> as to whether any city official or employee would violate Section 1 of Part B, Improper Economic Benefit, by participating in official action relating to the discretionary contract.

Open Systems Group, Inc. is not aware of any known facts not previously disclosed herein that require disclosure to be in compliance with Section 1 of Part B.

<b>Signature:</b> 	<b>Title: Branch Manager</b>  <b>Company:</b> Open Systems Group, Inc.	<b>Date:</b> 8/28/02
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<sup>2</sup> For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.

CITY OF SAN ANTONIO  
PURCHASING DEPARTMENT  
CERTIFICATE OF EXEMPTION FROM  
COMPETITIVE BID OR PROPOSAL REQUIREMENTS

Date: October 24, 2002

Section 252.022 of the Local Government Code requires that municipalities comply with the procedures established for competitive sealed bids or proposals, before entering into a contract requiring an expenditure of \$15,000 or more except as specified below:

(Please check which exemption you are certifying)

- |   |   |
|---|---|
| <input type="checkbox"/> a procurement made because of a public calamity that requires funds to relieve the needs of the residents or to preserve city property | <input type="checkbox"/> paving, drainage, street widening and other public improvements or related matter where at least one-third of the costs are paid by special assessments  |
| <input type="checkbox"/> a procurement to preserve or protect the public health or safety of the city's residents   | <input type="checkbox"/> a public improvement project which has been authorized but for which there is deficiency of funds to complete in accordance with the plans as authorized |
| <input type="checkbox"/> a procurement necessary because of unforeseen damage to machinery, equipment or other public property                                  | <input type="checkbox"/> a contract with a developer of a subdivision or land to construct public improvements, not including a building, related to the development              |
| <input type="checkbox"/> a procurement for personal, professional or planning services  | <input type="checkbox"/> personal property sold   |
| <input type="checkbox"/> a procurement for work paid for on a daily basis (day labor)   | <input type="checkbox"/> services performed by blind or severely disabled persons   |
| <input type="checkbox"/> a purchase of land or right-of-way   | <input type="checkbox"/> goods purchased by a municipality for subsequent retail sale by the municipality   |
| X <input checked="" type="checkbox"/> a procurement of items available from only one source   |   |
| <input type="checkbox"/> a purchase of rare books, papers and other materials for a public library  |   |

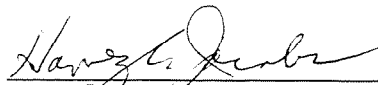
This Certificate of Exemption is executed and filed with the Purchasing Department as follows:

1. The undersigned is authorized to approve an exemption.
2. An exemption according to Section 252.022 of the Local Government Code exists. More specifically, the following event has occurred:


This contract is exempt from a competitive solicitation process. The developer of the software, Open Systems Group (OSG), owns the copyrights to the software and is the only contractor authorized to make modifications.

3. Because the exemption stated above exists, the City of San Antonio intends to contract with Open Systems Group (OSG) which will cost approximately \$510,000.00.

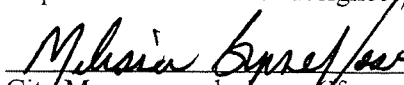
Recommended Certification

  
\_\_\_\_\_  
Originator

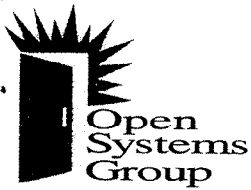
Recommended Certification

  
\_\_\_\_\_  
Department Director or designee

Certified

  
\_\_\_\_\_  
City Manager or designee (if necessary)

6/14/00



(888) 755-OPEN  
www.opensysgroup.com

August 28, 2002

Quentin B. Porter  
Municipal Courts Director  
401 S. Frio  
San Antonio, TX 78207

Re: Renewal of Open Systems Group Computer Software Development Contract with  
the Municipal Courts Department

Dear Mr. Porter:

This letter will confirm that Open Systems Group (OSG) has been the sole developer and publisher of the software in use by the San Antonio Municipal Courts Department. This software implemented to date was developed as a custom solution exclusively for the Municipal Courts Department as part of the Electronic Document Management System (Municipal Courts Document Imaging Project) and OSG is the sole source of renewal of this licensed product.

OSG has written and implemented Phase I and II of the Electronic Document Management System and is in the testing stage of Phase III. The System implementation is also a sole source licensed product of OSG.

This letter is written in reference to the Contract For Professional Services for continuing development of the Electronic Document Management System for the San Antonio, Municipal Courts Department.

Sincerely,

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

Bruce Murchison  
Branch Manager  
Open Systems Group  
24165 IH10 West  
Suite 217-246  
San Antonio, TX 78257  
Phone: 210-885-8665