

COUNCIL QUESTIONS/COMMENTS AND STAFF RESPONSES
RECEIVED AS OF OCTOBER 25, 1010 AT 7:45 AM
REGARDING OCTOBER 25, 2010 COUNCIL AGENDA ITEMS

Councilperson: Karen Schmidt:

Item 6E- Change Order to a Professional Services Agreement with Farnsworth Group

Question/Comment: I would like to understand more about what is included in construction observation? What sort of liability for any problems that emerge later would accrue to Farnsworth?

Staff Response: Construction observation generally covers the issues surrounding the actual construction of the project in the field. It provides for the observer to be the City's eyes and ears in the field when the project is being constructed. First and foremost, this includes adherence to the specifications and plans prepared for the project. The project is supervised so that it is built the way it has been designed to be built. It also includes tracking labor and material for the job, observation to ensure that standard construction practices are used, field notations on the plans as to where items were constructed (such as buried infrastructure), which eventually become the plans known as "as-built", the use of adequate safety procedures and any other provisions the City might require the Contractor to follow. The construction observation firm is responsible for seeing that a project is built the way it was designed. Liability, if problems would occur later, would be somewhat limited to failures to require of an inadequate design, poor selection of specified materials, etc. would be the liability of the design firm, not necessarily the construction observation firm.

Councilperson: Bernie Anderson

Item 6E- Change Order to a Professional Services Agreement with Farnsworth Group

Question/Comment: Please give more descriptive reasoning related to the change order. Understanding the importance of planning for the future, what is the projected time line of the Dr. Martin Luther King Drive development?

Staff Response: The majority of the change order is for the cost related to specification preparation, bidding assistance and construction observation. A small portion was related to some design changes to avoid some utility conflicts that were discovered in the field late in the design process. The Water Department has several projects underway at the same time and could not provide adequate time to observe this project with the personnel on staff at this time. Additionally, since this was a new contractor, it was felt that it was especially critical that close observation of this project would be provided. Since the Water Department could not provide the observation with its current personnel, Staff requested a quote from Farnsworth, since they were most familiar with the project. The extension of Dr. Martin Luther King, Jr. Drive from Market to Washington Streets and from Washington Street to Oakland Avenue is a project that will not be constructed for at least 5 to 10 years or until it is approved for funding by the City Council.

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Councilperson: Jim Fruin:

Item 6F- Extension of Fuel Agreement

Question/Comment: Comments I have heard over time from the public include, (a) Why do we allow emergency vehicles to leave their engines running for extended periods and burn fuel and pollute the air? (b) Some wonder if we really need specialty vehicles (i.e. SUV's) when a smaller more fuel efficient vehicle would suffice. Do we simply accept the Staff explanation that the special vehicles are really needed? (c) Do we measure miles drive on a dept. as accountability metric for performance evaluations?

Staff Response: The current contract renewal on the Agenda does not address the usage of fuel or the selection of correct vehicles for the approved need. This will be addressed as a future action under the Fleet Utilization Study prepared by the Public Works Department

Councilperson: Bernie Anderson

Item 6F- Extension of Fuel Agreement

Question/Comment: If I am reading this correct FS has had this contract since 1999 with continuous extensions. I do not recommend extending this contract, but to put out for formal bid. It is hard to believe that there are not more vendors wanting to bid a \$1 M contract.

Staff Response: There have not been any additional vendors in the area that would cause Public Works to believe that the City would receive any additional bidders. If there were any additional potential vendors, the Public Works Department would be recommending bidding the fuel contract. With the current fuel market and lack of vendors, Staff does not believe that the City would receive better pricing or service by rebidding this contract.

Councilperson: Judy Stearns

Item 6G- Mutual Aid Agreement with the Illinois Public works Mutual Aid Network (IPWMAN)

Question/Comment: My question is whether communities are currently providing mutual aid and how will this change that? How does this agreement tie into federal assistance or state assistance in the event of a disaster?

Staff Response: It is likely that communities in IPWMAN will no longer provide mutual aid to communities that choose not to participate in IPWMAN. It will remain their choice as it was prior to IPWMAN. IPWMAN provides a structured network that the City Council has encouraged Staff to pursue as a way to partner with other communities. This agreement does not prevent the City from receiving federal or state reimbursement or assistance. IPWMAN provides an additional resource should the city experience a major disaster.

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Councilperson: Judy Stearns

Item 6H- Lyle Sumek Associations, Incorporated Agreement

Question/Comment: I heard from some of my constituents and have the following concerns and questions. Have we considered putting this out for bid? There are local consultants we could use, and if we wish to have retreats, I advocate we explore local consultants. One local citizen who attended the retreat wrote us an extensive email on his concerns about the recent retreat. How are we addressing those concerns? Another citizen has expressed that the retreats are a “way around” the open debate and discussion at the known and accessible City Council Meetings and that important matters are being informally polled or even decided at retreats without normal procedure for public input, and therefore a violation of the spirit of the OMA (Open Meeting Act). To clarify---IN SPIRIT of the OMA. I may be pulling this to allow a citizen to speak and because I may vote No.

Staff Response: The City Manager will respond verbally to this question at the City Council Meeting.

Councilperson: Karen Schmidt

Item 6I- Enterprise Resource Planning Project

Question/Comment: Thanks for all the additional information on the ERP; I am comfortable with supporting this and moving it forward

Councilperson: Bernie Anderson

Item 6I- Enterprise Resource Planning Project

Question/Comment: I have been encouraged with the further benefits to the City of Bloomington and its residents.

Staff Response: None

Councilperson: Judy Stearns

Item 6I- Enterprise Resource Planning Project

Question/Comment: Mayor Stockton, David and Scott, thank you for meeting with Alton Franklin Friday afternoon. As you know, he wants to speak about this on Monday night and I have been contacted by others who may be there to comment as well, so I will be pulling this from the Consent Agenda. I agree Mayor Stockton that the City can greatly benefit from the access to local professional with specific skills. I appreciate everyone’s responsiveness to Alton’s questions on Friday and recognition of his expertise in the IT securities arena. His certifications, specifically, Certified Information Systems Security Professional, Certified Information Systems Auditor, and Certified Information Security Manager speak for themselves. I spoke to him yesterday and want you to know he reads the extensive needs summary and now has more concerns. Scott, I believe you will be speaking to Alton on Monday. My own concerns about the ERP are about the real cost and risk we have discussed.

Staff Response: The City Manager will respond verbally to this question at the City Council Meeting.

Additional ERP documentation is attached.

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Councilperson: Jim Fruin

Item 6J- Vehicle for Hire

Question/Comment: Regarding the Limousine, we have some Limo's that bring people in and out of town, often coming from Chicago, Springfield and St. Louis. Are these "out-of-town operators" who come in and out of town for a single purpose, impacted?

Staff Response: The City does not regulate inter-City transportation (except with Normal) and Staff doubts that we have the legal ability to do so.

Councilpersons: Karen Schmidt and Bernie Anderson

Item 6J- Vehicles for Hire

Question/Comment: I think this is a bad idea. If a company comes along and can meet the qualifications and has the money and is willing to take the risk, why are we regulating it? In today's environment where most are moving toward less regulation, why are we stunting the competition in this market?

Staff Response: Why are we regulating vehicles for hire, the answers are (1) public safety; (2) public convenience and (3) because they want to be regulated.

- (1) Public Safety: Too many persons are attempting to get into the "vehicle for hire" business. It is causing congestion in the downtown area and increasing the possibility of "under capitalized" owners who may be tempted to cut corners in order to make a profit or to operate outside of the permitted times (generally, Thursday, Friday, and Saturday nights). All groups (the police, the taxi, the bars, the vehicle for hire owners) acknowledge that vehicles for hire provide a public service by helping the bar area to empty quickly and cutting down on the incidence of impaired driving.
- (2) Public Convenience: The City is trying to keep vehicles for hire from proliferating to the point where they threaten the ability of taxi companies to stay in business. Taxis are required to operate 24/7; their fares are regulated to keep them from taking advantage of their clientele, and which largely consist of persons without the money to own or maintain their own vehicles and who may have to go to work at times or places inconvenient for bus service.
- (3) The vehicles for hire owners requested regulation. They are worried that too many persons are getting into the vehicle for hire business and it will drive reputable companies out of the business.

Councilperson: Jennifer McDade

Item Regular Agenda 8B- Resolution in Support of the Public Safety Pension Reforms

Question/Comment: I wanted to give a "heads up" that I have been contacted by 2 individuals from Local 49 (one lives in Ward 5) who would like to speak about the pension resolution on tomorrow night. I had an opportunity to discuss this with David Hales on Saturday. I will be making a motion to suspend the rules to allow them to speak and again, wanted to provide a "heads up" in this regard.

Staff Response: None

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Councilperson: Judy Stearns

Item Regular Agenda 8B- Resolution in Support of the Public Safety Pension Reforms

Question/Comment: Maybe I missed it, but what have we learned from our local State Representatives about this recommendation from Pension Coalition?

Staff Response: City Staff have not had the time to discuss this matter with our local State Representatives.

Councilperson: Jim Fruin

Item Regular Agenda 8C- Proposed 2010 Tax levy and Process

Question/Comment: I will look forward to further listening and comment.

Staff Response: None

Councilperson: Jim Fruin

Item Regular Agenda 8D- Presentation of the Draft Reserve Policy

Question/Comment: I will look forward to further listening and comment

Staff Response: None

Councilperson: Jim Fruin

Question/Comment: I value the leadership provided by our Administration and staff.
TOGETHER WE ARE making progress.....

MEMORANDUM

DATE: **October 25, 2010**

FROM: **David W. Krout**

TO: **Scott Sprouls, David Hales**

SUBJECT: **City of Bloomington Enterprise Information Management System (EIMS)**

Scott, this memo is an effort to provide further clarification to some of the questions and concerns posed by council members. You have done a good job answering the questions. I have selected a few of the questions that we felt additional information may be informative and beneficial.

Questions	Comments
<p>Looking at the Top 20 ERP software vendors published by Business-Softward.com, I do not see Tyler listed.</p>	<p>This ERP software list is not a list public sector and municipal focused enterprise software vendors. Most of the top 20 software vendors are manufacturing focused. A few have government installations, but none of them have the all the enterprise software solution suites that comprise the City of Bloomington's project which includes:</p> <ul style="list-style-type: none"> • Finance • Payroll & Human Resources • Utility Billing • Maintenance and Asset Management for Public Works • Planning, Permitting, Inspections, Code Enforcement and Licensing for community development departments • GIS integration • E-government modules
<p>A CIO study estimates that an ERP solution for \$100 million revenue company should only cost approximately \$400,000.</p>	<p>This study does not include the local government enterprise market place. Keep in mind that there are only 1,200 municipalities over a population of 25,000 in the United States. The enterprise software solutions that cater to this specialized industry are limited. All nationally prominent municipal software vendors were asked to propose. Six proposals were received with preliminary projected costs ranging from \$992,000 to \$3.8 million. Keep in mind that other Tier One solutions such as SAP, Oracle, People Soft would cost several million more and do not include municipal specific software modules such as utility billing, permitting, inspections, code enforcement, maintenance for public works, etc. Such solutions would require extensive customization and interface development that would simply be unaffordable to the City of Bloomington.</p>

Why haven't extensive Business Process Review and documentation been completed as part of the process.

Process Review has been conducted with all departments, but the City has not paid for extensive documentation. The selection methodology that was followed and facilitated for the City of Bloomington's project is a best practices approach for determining the requirements and implementation planning for a municipal enterprise information management solution. The Preliminary Applications Needs Assessment was a "preliminary" business case study to determine the current utilization of municipal departmental software solutions including ERP. The selection methodology included a review of the many departmental processes and documentation of the feature/function requirements for this specialized group of software providers. Additional process review, setup and configuration will be completed as part of the implementation process. For clarification, the software vendors considered and ultimately chosen by the City's selection committee are not customized software solution providers. These solutions are considered "off-the-shelf" municipal best-practices solutions that are configurable to City of Bloomington's specific needs, when necessary. Many of the City's processes are inefficient and/or require manual work-arounds, because the city is not utilizing a municipal enterprise solution/approach. Implementation of an enterprise solution will greatly improve and result in greater best-practices work-flows by default. The city is wiser to further address the limited number of complex processes during implementation rather than document all processes in advance. This is due to the fact that most of the city's processes will be implemented as part of the base system (off-the-shelf). This project has very limited minor modifications (by design) and almost all were negotiated to be included as base to the solution for Munis' entire customer base.

Tyler Technologies Signs ERP Agreement With the City of Rochester, New York

City Signs \$2.2 million contract for Munis® software

DALLAS – October 19, 2010 – Tyler Technologies (NYSE: TYL) has signed an agreement with the City of Rochester, New York, to provide Tyler’s Munis® enterprise resource planning (ERP) solution. In addition to software licenses, the agreement includes related professional services, maintenance and support.

“The City of Rochester was looking for a comprehensive, cost-effective, enterprise-wide solution to replace all of its legacy systems, and Tyler was a perfect fit,” said David Mayor, Rochester’s chief information officer. “The city chose Tyler because we needed a vendor that understands government, had experience in New York State and had a great track record of implementations. Additionally, Tyler understands change management and business process analysis, which is crucial to a successful effort to optimize processes across all layers of the city government. Our desired end result is to achieve greater efficiencies and to provide best-in-class customer service to our citizens. We believe Tyler is the vendor best qualified to help us attain these results.”

Rochester, with a population of approximately 220,000, has invested in a broad range of Tyler’s Munis financial, human capital management and citizen service applications with the goal of having one system that provides workflow and seamless integration. By using Munis, Rochester will be able to improve service to internal and external customers, bring the city’s technology up-to-date, and provide quick analysis of information for more accurate and timely decision making.

“Our exclusive public sector focus has given us a unique understanding of public sector enterprises,” said John Marr Jr., CEO of Tyler Technologies. “Because of our focus, Tyler is able to work with Rochester to determine the best business processes and change management plan, so they can achieve cost-savings and gain operational efficiencies, as well as bring their technology up-to-date. We’re pleased the City of Rochester chose us, and we look forward to a long partnership.”

About Tyler Technologies, Inc.

Based in Dallas, Tyler Technologies is a leading provider of end-to-end information management solutions and services for local governments. Tyler partners with clients to empower the public sector—cities, counties, schools and other government entities—to become more efficient, more accessible, and more responsive to the needs of citizens. Tyler's client base includes more than 9,000 local government offices throughout all 50 states, Canada, Puerto Rico and the United Kingdom. *Forbes* Magazine named Tyler as one of “America’s 200 Best Small Companies” for three consecutive years. More information about Tyler Technologies can be found at www.tylertech.com.

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