




**CITY OF HAMILTON**  
**CORPORATE SERVICES DEPARTMENT**  
 Customer Service, POA and Financial Integration Division

<b>TO:</b>	Chair and Members Audit, Finance and Administration Committee
<b>COMMITTEE DATE:</b>	September 21, 2023
<b>SUBJECT/REPORT NO:</b>	Request to Extend Data Entry Services for Certificates of Offence Contract (FCS23096) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Francesca Angheloni (905) 546-2424 Ext. 5718
<b>SUBMITTED BY:</b>	Cindy Mercanti Director, Customer Service, POA & Financial Integration Corporate Services Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

That pursuant to Procurement Policy #11 – Non-competitive Procurements, that Council approve the extension to Contract C17-06-17 (City of Mississauga contract number FA.49.437.16) for the provision of Data Entry Services for Certificates of Offence until March 31, 2024 with the option to extend up to six months further and that the General Manager, Corporate Services, be authorized to negotiate, enter into and execute the extension and any ancillary documents required to give effect thereto with Nimble Information Strategies Inc. in a form satisfactory to the City Solicitor.

### EXECUTIVE SUMMARY

Nimble Information Strategies Inc. provides data entry services for Certificates of Offence filed with the Provincial Offences Administration Office daily. Data entry services were procured in 2017 under a co-operative arrangement utilizing Procurement Policy #12. Subsequently, the services were extended using Procurement Policy #11 for a period of 18 months. The contract will expire September 30, 2023 with no renewal terms remaining nor an opportunity to extend the Procurement Policy #11.

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OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

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The purpose of Report FSC23096 is to seek Council's approval to direct the General Manager, Corporate Services, or their designate, to negotiate an extension to Contract C17-06-17 (City of Mississauga contract number FA.49.437-16), Data Entry Services for Certificates of Offence (Co-op), for the City of Hamilton (City) with the City's current provider of this solution, Nimble Information Strategies Inc., for six months with the discretion to further extend an additional six months, if required.

This contract extension is necessary to ensure that Nimble Information Strategies Inc. continues to provide data entry services to the City while the co-operative procurement group, led by the City of Burlington, issues and awards a new request for tender.

**Alternatives for Consideration – See Page 4**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: The annual compensation and fees for the period of October 1, 2023 to September 30, 2024, is estimated at \$45,000.

Staffing: None.

Legal: Contract with the vendor will be reviewed and approved by the City Solicitor.

**HISTORICAL BACKGROUND**

In accordance with Procurement Policy #12, the original contract was issued as a cooperative procurement and effective as of April 1, 2017 to March 31, 2020. The original contract had an option to renew for two one-year terms which were exercised.

The City of Burlington agreed to be the procurement lead for the new cooperative Request for Tenders procurement process representing the City of Mississauga, the City of Brampton, the City of Hamilton and the Town of Caledon. The City of Burlington began drafting the new Request for Tender in January, 2023. However, there have been some delays with issuing and awarding a new contract prior to the expiry of the original contract. To allow time for the co-operative Request for Tender process, the original contract was extended beyond the last renewal term from April 1, 2022 to September 30, 2023 under a Procurement Policy #11. As a result of a delay in posting the Request for Tender, the original contract will expire on September 30, 2023.

As a member of the co-operative procurement group, the City of Hamilton will benefit by better contract terms, specifically, pricing due to purchasing power. To support the co-operative procurement group by allowing time to issue and award the Request for Tender, staff requires an extension to the current contract with Nimble Information Strategies Inc.

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The daily data entry services performed under the contract ensure that provincially issued charges are entered into the Integrated Court Offence Network database. Charges that are not entered into the database cannot be actioned by the courts which would have a significant impact on the courts' ability to meet obligations under the *Provincial Offences Act* and the Memorandum of Understanding with the Ministry of the Attorney General.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

Report FCS23096 is in accordance with the City of Hamilton's Procurement Policy and associated By-Law 20-205 as amended, whereby:

- Procurement Policy #11 – Non-Competitive Procurements, Section 4. 55 requires Council must approve any requests for negotiations for:
  - 2(a) a single source as set out in subsection (1)(b) of this Policy #11, where the cumulative value of the Policy 11 exceeds a multi-year value of the proposed procurement is \$250,000 or greater. For greater clarity, the total cumulative value of a Policy 11 shall not exceed \$250,000 in any given year or multiple consecutive years; or
  - 2(b) an extension as set out in subsection (1)(c) of this Policy #11, where the extension exceeds 18 months from the expiry of the Contract with a vendor.”

**RELEVANT CONSULTATION**

City staff has consulted with the Procurement Section (Financial Services and Taxation, Corporate Services Department) and the participating cooperative purchasing group municipalities.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

Nimble Information Strategies Inc. provides data entry services for Certificates of Offence filed with the Provincial Offences Administration Office daily.

City staff is satisfied with the services provided by Nimble Information Strategies Inc. to date. However, staff also recognizes the importance of adopting the successful proponent for the new Request for Tender that is being led by the City of Burlington on behalf of the co-operative procurement group.

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The data entry services performed under the contract ensure that provincially issued charges are entered into the Integrated Court Offence Network database. Charges that are not entered into the database cannot be actioned by the courts which would have a significant impact on the courts' ability to meet obligations under the *Provincial Offences Act* and the Memorandum of Understanding with the Ministry of the Attorney General.

As a member of the cooperative procurement group, the City of Hamilton will benefit by better contract terms, specifically pricing due to purchasing power. To support the cooperative procurement group by allowing time to award the Request for Tender, staff requires an extension to the current contract with Nimble Information Strategies Inc.

The extension to Contract C-17-06 with Nimble Information Strategies Inc. will ensure the City of Hamilton maintains continuity of services while the cooperative procurement group, under the leadership of the City of Burlington, conducts a competitive procurement process and awards a new contract.

**ALTERNATIVES FOR CONSIDERATION**

Council may direct staff to negotiate a shorter-term contract extension with Nimble Information Strategies Inc. As the City is one member of the co-operative procurement group, a shorter term may not be sufficient to maintain continuity of services until a new contract has been awarded.

**APPENDICES AND SCHEDULES ATTACHED**

None

FA/dt