

12. Miscellaneous: Lien search services – Community and Economic Development Department (Orange Data's MuniConnect Platform – revenue earning (sole source)).



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Ibis Berardi, Community & Economic Development Acting Director

DATE: May 16, 2024

RE: Sole Source - Lien Search Services Utilizing MuniConnect Platform –
REVENUE EARNING

SUMMARY:

Selling or buying property in the City of Palm Bay requires citizens to conduct a lien search. Multiple departments are involved in this process including Community & Economic Development, Utilities, Code, Housing, Finance, and Accounts Payable.

On March 1, 2022, the City piggybacked the City of Delray Beach's Invitation to Bid #2019-016 and entered a piggyback agreement with PropLogix, LLC d/b/a Orange Data Systems to streamline the services. The contract had one renewal option remaining, which was utilized, bringing the agreement end date to March 12, 2024.

In early March of 2024, the City was notified that the City of Delray Beach was standardizing the services and would no longer have a contract in place that the City could piggyback. Lien search services with Orange Data Systems utilizing the MuniConnect platform have become a vital resource to the City residents and staff. Orange Data provides a seamless and expedited service to residents while contributing to approximately \$712,910.00 of revenue recovery for the contract period of March 2022 through February 2024. These services are provided to residents starting at \$30 per report. Orange Data retain a nominal fee of \$12.50 per report while the remaining revenue is retained by the City.

Pursuant to the City Code of Ordinances Section 38.13(F)(2), a sole source posting for the parts, repairs and services was posted on Vendorlink on March 28, 2024, and ended on April 18, 2024, under sole source SS #10-0-2024. There were no responses received regarding the sole source posting. The Sole Source has an expiration date of three (3) years.

The Procurement Ordinance defines a sole source as "an item that is the only one that will produce the desired results, or fulfill the specific need, and the item is available from only one source of

supply. Therefore, there is an inability to obtain competition. Due diligence must be performed to verify an item is truly a sole source, and the original justification documentation shall be properly maintained.” Ordinance 38.13(F)(2) requires Council approval of a sole source purchase over \$100,000.

REQUESTING DEPARTMENTS:

Community & Economic Development

FISCAL IMPACT:

City revenue to-date for Fiscal Year 2024 is \$154,332.50, with anticipated total revenue of \$308,665 at the end of fiscal year. Total revenues for Fiscal Year 2023 and 2022 were \$320,862.50 and \$267,482.50, respectively.

STAFF RECOMMENDATION:

Motion to approve the Sole Source of PropLogix, LLC d/b/a Orange Data Systems Lien Search Services Utilizing MuniConnect Platform, located in Sarasota, Florida. Council approval is requested for the term of June 1, 2024 through May 31, 2027.

ATTACHMENTS:

1. Sole Source Letter from Manufacturer
2. Justification for Sole Source Procurement of Orange Data's MuniConnect Platform
3. Orange Data Acknowledgement



City of Palm Bay Procurement Department
120 Malabar Road, SE, Palm Bay, FL 32907
Phone (321) 952-3424

NOTICE OF INTENT TO SOLE SOURCE
Lien Search Services Utilizing MuniConnect Platform
SS # 10-0-2024

The City of Palm Bay intends to enter into an agreement with **PropLogix, LLC d/b/a Orange Data Solutions** for lien search services utilizing MuniConnect platform.

Description of services or a list of services to be provided:

- Lien Search Services utilizing MuniConnect Platform that integrates public record requests, lien search services, title search services, and property registration within the unified portal.
- Flexible payment model allows users to pay on a “pay-as-you-go” model. This would mean there is no initial or ongoing subscription commitments for the City.

Vendors who believe they can meet or exceed the above stated requirement must provide convincing technical data sufficient to support their position. Any responses received as a result of this Notice of Intent shall be considered solely for the purpose of determining whether to conduct a competitive procurement. Responses will not be considered as proposals, bids, or quotes.

The City of Palm Bay Procurement Department must receive replies to this notice no later than **5:00 P.M. on April 18, 2024.** After this date, an award will be made. Responses to this notice will be used to determine whether bona fide competition exists.

Written responses shall be submitted via email to the City of Palm Bay Procurement Department, ATTN: James “Nick” Canjar, Procurement Manager at james.canjar@pbfl.org.

DATE POSTED: 3/28/2024



Ibis S. Berardi
Community & Economic Development, Acting Director
City of Palm Bay
120 Malabar Rd, SE Palm Bay, FL 32907

Subject: Justification for Sole Source Procurement of Orange Data's MuniConnect Platform

Dear Mrs. Berardi,

I am reaching out to provide a comprehensive rationale for the sole source procurement of services from Orange Data. Our meticulous evaluation of your specific requirements for managing public records requests, lien searches, title searches, property registration, and payment processing has led us to conclude that Orange Data's MuniConnect platform is uniquely suited to fulfill these needs.

Justification for Sole Source Procurement:

1. **Unique Offering:** MuniConnect, developed by Orange Data, stands out as the sole all-inclusive platform integrating public records requests, lien searches, title searches, and property registration within a unified portal. This integration is pivotal for optimizing your operations, consolidating processes that are traditionally managed across disparate systems.
2. **Flexible Payment Model:** In contrast to conventional models entailing upfront costs or subscription fees, MuniConnect operates on a pay-as-you-go basis. This approach is particularly advantageous for the City of Palm Bay, enabling seamless utilization of the platform without incurring initial expenses or ongoing subscription commitments. Orange Data's fee structure aligns with each order placed, thereby mitigating financial burdens on our end.
3. **Unmatched Solution:** Extensive market research underscores the unparalleled nature of MuniConnect in the realm of comprehensive solutions. No other provider offers a comparable amalgamation of services within a single portal, coupled with a pay-as-you-go payment model. This distinctive combination is pivotal for enhancing operational efficacy and financial prudence within your organization.
4. **Enhanced Efficiency:** Embracing MuniConnect promises to augment operational efficiency within the City of Palm Bay, facilitating streamlined processes and expedited service provision to the public. By consolidating multiple services under one platform, the necessity for numerous contracts and vendors diminishes, thereby simplifying administrative tasks and potentially reducing associated costs.



Given the compelling arguments outlined above, we firmly assert that Orange Data's MuniConnect platform is uniquely equipped to address the City of Palm Bay's requisites. We are convinced that procuring this service from Orange Data as a sole source provider is the most judicious course of action for our organization and the constituents we serve.

We earnestly seek your approval to proceed with the sole source procurement of Orange Data's MuniConnect platform. Enclosed herewith, you will find supplementary documentation substantiating this request, including an in-depth analysis of our requirements and the conducted market research.

Thank you for your careful consideration of this proposal. We are optimistic that this sole source procurement endeavor will significantly enhance our organizational efficiency and efficacy in serving the community. Should further information or clarification be needed, please feel free to contact me directly at stewart@orangedata.com or (407) 965-4245.

Sincerely,

Stewart Holley

Stewart Holley
Vice President
Orange Data Systems
E. stewart@orangedata.com
P. (407) 965-4245
C. (423) 649-8630
W. orangedata.com

City of Palm Bay Representatives:

Please accept this letter as confirmation of the services offered by PropLogix, LLC d/b/a Orange Data Systems, as successor-in-interest to Orange Data Systems, LLC ("ODS") pursuant to the Lien Search Services Agreement No. 2019-016 (the "Agreement"). ODS continues to provide its service and software at no cost to the City of Palm Bay (the "City").

The Agreement states:

"Orange Data Systems, LLC, service and software are completely free to the City with no annual or sign on fees. Orange Lien Data will assess a fee of \$12.50 per report and retain all such fees made by a requestor (lien or title company). Orange Data Systems will collect this per report fee on behalf of the City and remit such amounts to the City on a monthly basis by one check due the 10th of the following month."

ODS confirms continued compliance with these terms. For clarity, the aforementioned \$12.50 ODS fee is included in the total fee that ODS receives per report from the requestor; ODS retains its \$12.50 fee, and remits the balance to the City as provided above.

We aim to ensure complete clarity and mutual understanding regarding our operations and the financial arrangements described in the Agreement.

If you have any questions or concerns, please contact Stewart Holley, Vice President of TFG Reports and Orange Lien Data (stewart@orangedata.com; 352-434-1591).

Sincerely,

Alexander Eckelberry
Chief Executive Officer
PropLogix, LLC d/b/a Orange Data Systems