



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: A 24-108

April 23, 2024

Introduced: 3/11/2024

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

- A. Approve and Authorize the Assessor/County Clerk Recorder to enter into an Annual Maintenance Support Agreement with Megabyte Systems Inc. for the period July 1, 2024 through June 30, 2025; in an amount not to exceed \$426,773; and
- B. Accept non-standard language in the agreement provided by the vendor as recommended by the Assessor; and
- C. Authorize the Assessor/County Clerk Recorder to sign up to four (4) future one (1) year amendments to the Agreement (which will include a 10% increase each year), with the same scope of services and the same non-standard language provisions, for a total aggregate contract amount of not to exceed \$2,304,574.

RECOMMENDATION:

- A. Approve and Authorize the Assessor/County Clerk Recorder to enter into an Annual Maintenance Support Agreement with Megabyte Systems Inc. for the period July 1, 2024 through June 30, 2025; in an amount not to exceed \$426,773; and
- B. Accept non-standard language in the agreement provided by the vendor as recommended by the Assessor; and
- C. Authorize the Assessor/County Clerk Recorder to sign up to four (4) future one (1) year amendments to the Agreement (which will include a 10% increase each year), with the same scope of services and the same non-standard language provisions, for a total aggregate contract amount of not to exceed \$2,304,574.

SUMMARY/DISCUSSION:

In 1990, the Board authorized the county to enter into an agreement with Megabyte Systems, Inc. to provide a complete property tax assessment, collection and apportionment package for use by the County Tax Collector, Assessor, and Auditor Offices. Since that time the Software and licensing agreement has been modified and additional services/modules have been added to the services provided to include software updates and specific modules: the MPTS Property Tax System, Online Business Property Filing programs, Public and Agency Web programs, Online Property Tax Bill statements, and the Just Appraised Application Programming Interface (API). These programs have benefited the Offices of the Assessor, Auditor, and Tax Collector.

On July 19, 2016, the Board authorized the County to enter into a separate service/maintenance agreement with Megabyte for the programs and modules obtained by the County and approved annual extensions of that agreement through July 2020.

On March 24, 2020, the Board authorized the amendment of the service/maintenance agreement executed on July 20, 2016, and approved annual extensions of that agreement through July

Legistar File Number: A 24-108

2025. The proposed renewal and requested future annual extension authorizations would allow the existing programs and modules to continue to be maintained and utilized by the county without disruption.

The term of the maintenance and support services as identified in the attached Exhibit A shall be for July 1, 2024 through June 30, 2025. The total financial liability to the County for July 1, 2024 to June 30, 2025 pursuant to the terms of this Agreement shall not exceed \$426,773. The County has had a successful, long-term relationship with this vendor. County Counsel has recommended that the County sign the current version of the agreement rather than amending prior agreements. The total aggregate contract amount shall not exceed \$2,304,574.

OTHER AGENCY INVOLVEMENT:

County Counsel reviewed the Agreement and has approved it as to form only. The Agreement contains non-standard provisions including, but not limited to, the following: vendor terms overriding County standard terms, omission of routine County terms such as choice of law and integration clauses, as-is terminology and other limitations on liability and absence of usual warranties of performance, inadequate intellectual property liability protection, and non-standard insurance and indemnity provisions. County Risk Management has reviewed the Agreement but has not approved it due to the non-standard insurance and indemnity provisions. The Chief Information Officer has reviewed the Agreement. The Auditor-Controller has approved the fiscal provisions. The Auditor-Controller and Treasurer-Tax Collector, as users of the services, are in support of the recommendation.

FINANCING:

The County Tax Collector, Assessor, and Auditor have all anticipated the \$10,586 increase in shared maintenance costs in their projected 2024-2025 budget requests for the payment of the services to be performed pursuant to the Agreement.

Funds for payment of this agreement have been included in the Assessor (1180-ACR001-8003), Tax Collector, and Auditor's FY 2024-2025 Requested Budgets. Transactions relating to future fiscal years will be included in each respective Requested Budget.

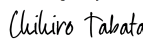
There is no additional financial impact to the General Fund.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The services rendered in this agreement provide the Assessor's Office with the additional support it needs to provide reliable and high-quality services to the residents of Monterey County.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Chihiro Marie Tabata, Management Analyst, x6607

DocuSigned by:

 SF19C8CA50B04CA...

Legistar File Number: A 24-108

Approved by: Xochitl Marina Camacho, Assessor-Clerk/Recorder, x5803

DocuSigned by:
Marina Camacho
2180F187CA9B433...

Attachments:

Non-Standard Maintenance Agreement

Exhibit A - Scope of Services

Exhibit B - Payment for Services Rendered FY 2024-2025