



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers

168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: 23-898

December 05, 2023

Introduced: 11/21/2023

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

- a. Approve and authorize a non-standard agreement in the amount of \$21,000 between the County of Monterey, by and through the County of Monterey Treasurer-Tax Collector's Tax Division and RELX, Inc., dba LexisNexis, which specifies Accurant for Government Transactional Debtor Location and Research Services to be performed under the terms of the State of California negotiated Standard Agreement No. 5-23-70-40-01 for the period of January 1, 2024, through December 31, 2026; and
- b. Authorize the County of Monterey Treasurer-Tax Collector to sign the non-standard agreement for Accurant for Government Transactional Debtor Location and Research Services with LexisNexis; and
- c. Authorize County of Monterey Treasurer-Tax Collector to extend the agreement for up to one 12-month contract extension, where the Amendment does not exceed an annual amount of \$6,000 of the Agreement amount and does not significant change the scope of work, and the total amount of the agreement does not exceed a total amount of \$21,000.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize a non-standard agreement in the amount of \$21,000 between the County of Monterey, by and through the County of Monterey Treasurer-Tax Collector's Tax Division and RELX, Inc., dba LexisNexis, which specifies Accurant for Government Transactional Debtor Location and Research Services to be performed under the terms of the State of California negotiated Standard Agreement No. 5-23-70-40-01 for the period of January 1, 2024, through December 31, 2026; and
- b. Authorize the County of Monterey Treasurer-Tax Collector to sign the non-standard agreement for Accurant for Government Transactional Debtor Location and Research Services with LexisNexis; and
- c. Authorize County of Monterey Treasurer-Tax Collector to extend the agreement for up to one 12-month contract extension, where the Amendment does not exceed an annual amount of \$6,000 of the Agreement amount and does not significant change the scope of work, and the total amount of the agreement does not exceed a total amount of \$21,000.

SUMMARY/ DISCUSSION:

The County of Monterey Treasurer-Tax Collector conducts research to identify parties of interest related to delinquent real property tax auctions and as required by California State statue. The LexisNexis online service provides the Tax Division the ability to locate parties that may have an interest in a property subject to legal action by the tax collector for failure to pay property taxes.

On October 21, 2010, the Treasurer-Tax Collector entered into a non-standard agreement with LexisNexis for these type of transactional services for the Tax Division for a 12-month term beginning July 1, 2010, which automatically renewed under the same terms and conditions.

On December 1, 2019, the Treasurer-Tax Collector entered into a non-standard master agreement utilizing the State master agreement for the provision of electronic research, proprietary legal research, information, and news databases, and print products. This master agreement provided a better product at a lower cost however this agreement concluded on December 31, 2022.

On January 1, 2023, the Treasurer-Tax Collector entered into a non-standard master agreement utilizing the State master agreement for the provision of electronic research, proprietary legal research, information, and news databases, and print products. This master agreement provided a better product at a lower cost however this agreement concludes on December 31, 2023.

The Treasurer-Tax Collector now wishes to enter into a new contract utilizing the State master agreement for the period of January 1, 2024, through December 31, 2026, at an agreement amount not to exceed \$21,000 and allows Treasurer-Tax Collector to extend the agreement for up to one 12-month contract extension, where the Amendment does not exceed an annual amount of \$6,000. Obtaining the services pursuant to the master agreement will permit the County continued online access for the research and updating of debtor information to assist with the statutorily required search for parties of interest related to delinquent real property collections/auction proceedings. The terms of the State Master Agreement and the LexisNexis documents for these services contain non-standard terms and conditions so that the agreement and further extensions cannot be executed without Board approval.

It is the recommendation of the Treasurer-Tax Collector that the Agreement documents listed as Attachments be approved and the services obtained notwithstanding the non-standard terms as a business necessity and because they are industry standard and similar to the terms of the existing agreement which has not resulted in any issues to date.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed the LexisNexis Master Terms & Conditions and is not able to approve it due to the existence of non-standard terms, including but not limited to “as-is” provisions, lack of insurance, no warranty, lack of indemnity, and terms subject to vendor’s unilateral ability to modify terms and conditions including but not limited to pricing.

FINANCING:

Approval of the agreement has no additional impact on the County’s General Fund or current County Budget. The Treasurer-Tax Collector’s Tax Division offsets related expenses through the delinquent tax sale process. The agreement in the amount not to exceed \$21,000 will fund services during the period of January 1, 2024, through December 31, 2026, and allows Treasurer-Tax Collector to extend the agreement for up to one 12-month contract extension, where the Amendment does not exceed an annual amount of \$6,000 is based on the LexisNexis Schedule A - Tax Collector - Transactional Services.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The request to enter into this agreement supports the County’s Administration policy because it allows the department to operate in an efficient and cost-effective manner by having reliable access to debtor research and location services.

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

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Approved by: Mary A. Zeeb, Treasurer-Tax Collector, x5474

Attachments:

Exhibit A - State of California Standard Agreement 5-23-70-40-01

Exhibit B - Schedule A - Tax Collectors Transactional