Introduced: 5/14/2025
Version: 1

Current Status: Agenda Ready
Matter Type: BoS Agreement

a. Approve and authorize the Assessor or their designee to enter into a Non-Standard Software as a Service Agreement CoStar Realty Information, Inc. for appraisal software for a one (1) year term of July 1, 2025 through and including June 30, 2026 in an amount not to exceed $16,680; and
b. Accept non-standard language in the agreement provided by the vendor as recommended by the Assessor; and
c. Approve and authorize the Assessor or their designee to sign up to four (4) future one (1) year amendments to the Agreement with the same scope of services and substantially similar non-standard language provisions, for a total aggregate contract amount of not to exceed $101,834.

RECOMMENDATION:

It is recommended that the County of Monterey Board of Supervisors:

a. Approve and authorize the Assessor or their designee to enter into a Non-Standard Software as a Service Agreement CoStar Realty Information, Inc. for appraisal software for a one (1) year term of July 1, 2025 through and including June 30, 2026 in an amount not to exceed $16,680; and
b. Accept non-standard language in the agreement provided by the vendor as recommended by the Assessor; and
c. Approve and authorize the Assessor or their designee to sign up to four (4) future one (1) year amendments to the Agreement with the same scope of services and substantially similar non-standard language provisions, for a total aggregate contract amount of not to exceed $101,834.

SUMMARY/DISCUSSION:

The proposed software as a service agreement contains non-standard indemnification and liability provisions as well as non-standard payment terms. These non-standard provisions are an industry-wide accepted standard although not County standard. CoStar will provide software that will allow the Assessor to capture data on commercial properties, rentals, and leases. This data will be used to assess commercial property sales, partial interest transfers, and/or appeals.

On April 28, 2020, the Board Authorized the Assessor to enter into a non-standard software as a service agreement with Costar for the provision of appraisal software and approved annual extensions of that agreement through June 30, 2025. The Assessor requests that the Board approve the proposed renewal and requested future annual extension authorizations of this agreement, including the non-standard provisions, between CoStar and the County of Monterey Assessor's office due to business necessity.

The term of the agreement as identified shall be for July 1, 2025 through and including June 30, 2026. The total financial liability to the County for July 1, 2025 to June 30, 2026 pursuant to the terms of this Agreement shall not exceed $16,680. The total aggregate contract amount shall not exceed $101,834.

The agreement is for software to ensure the preparation and continuation of a timely and accurate property tax roll as mandated by the State of California. Therefore, the Assessor requests the Board of Supervisors approval of this recommendation.

OTHER AGENCY INVOLVEMENT:
The Office of the County Counsel has reviewed the agreement and has not approved it due to the presence of non-standard provisions, including but not limited to the following: as-is conditions, no vendor liability, indemnification, or performance provisions, exclusive right of vendor to unilaterally change agreement terms and conditions and right to assign agreement, and foreign jurisdiction control of law and venue. County Risk Management cannot approve the agreement due to the presence of non-standard indemnity and liability provisions. The Office of the Auditor-Controller has reviewed the agreement but cannot approve it due to the presence of non-standard payment terms.

FINANCING:
Funds for payment of this agreement have been included in the Assessor's FY 2025-2026 Adopted Budget (1180-ACR001-8003). 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 with the additional support it needs to provide reliable and high-quality services to the residents of Monterey County.

Mark a check to the related Board of Supervisors Strategic Initiatives:

_x_Economic Development
_x_Administration
___Health & Human Services
___Infrastructure
___Public Safety

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Approved by: Xochitl Marina Camacho, Assessor County Clerk/Recorder, ext x5874

Attachments:
Proposed Agreement
Exhibit A - Terms and Condition
Exhibit B - Addendum to Terms and Conditions