



Monterey County

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Report

Legistar File Number: 16-1206

December 13, 2016

Introduced: 10/18/2016

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

- a. Approve and Authorize the County Clerk/Recorder (CCR) to enter into an Agreement including non-standard provisions with Tyler Technologies, Inc. (Tyler) for the period of December 31, 2016 through June 30, 2019 in an amount not to exceed \$891,829; and
- b. Approve an increase in the 2016-17 Fiscal Year estimated revenue and appropriations of \$679,926.00 in the County Clerk/Recorder's Budget unit (1180-ACR002-8004) (4/5th vote required); and
- c. Authorize the Auditor-Controller to amend the FY 2016-17 Budget to reflect these actions and transfer funds as utilized from the County Clerk/Recorder's Modernization Account 020-2751 to the County Clerk/Recorder's Budget unit (1180-ACR002-8004).
- d. Authorize the County Clerk/Recorder to execute up to three (3) future amendments to the Agreement that do not significantly alter the scope of work and do not cause a total increase of more than 10% of the original Agreement cost (\$89,182.90).

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and Authorize the County Clerk/Recorder (CCR) to enter into an Agreement, including non-standard provisions, with Tyler Technologies, Inc. (Tyler) for the period of December 31, 2016 through June 30, 2019 in an amount not to exceed \$891,829; and
- b. Approve an increase in the 2016-17 Fiscal Year estimated revenue and appropriations of \$679,926.00 in the County Clerk/Recorder's Budget unit (1180-ACR002-8004) (4/5th vote required); and
- c. Authorize the Auditor-Controller to amend the FY 2016-17 Budget to reflect these actions and transfer funds as utilized from the County Clerk/Recorder's Modernization Account 020-2751 to the County Clerk/Recorder's Budget unit (1180-ACR002-8004).
- d. Authorize the County Clerk/Recorder to execute up to three (3) future amendments to the Agreement that do not significantly alter the scope of work and do not cause a total increase of more than 10% of the original Agreement cost (\$89,182.90).

SUMMARY/DISCUSSION:

On January 12, 2016, the Board authorized the CCR to enter into negotiations with Tyler for the potential acquisition of Tyler's Eagle Clerk/Recorder Computer Software System and implementation services to replace the Office's current internal Symphony/AS400 recording, filing, cashiering, reconciliation, and reporting system. The attached Agreement is a result of those negotiations.

Tyler's system is a proven .net/web-based system, which has been selected by multiple counties in California that have issued in-depth RFPs for similar services. The Eagle System best suits the CCR's needs. A .net/web-based system will benefit the CCR department in use, adaptability, technology and support. Implementation of the Eagle system will also allow the department to increase automated customer service venues.

The Agreement contains non-standard provisions including, but not limited to, the following: vendor terms overriding County standard terms, non-standard defense, indemnification, payment, and travel reimbursement terms, limitations on liability, limitations or absence of warranties of performance of certain products, non-standard intellectual property liability protection, and non-standard insurance provisions.

Based on the current system's cost, age, and limitations, the CCR requests that the Board of Supervisors approve this action.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed the Agreement and has approved it as to form only. IT has reviewed and approved the Agreement. County Risk Management has reviewed the Agreement and cannot approve it due to non-standard insurance and indemnity provisions. The Auditor-Controller has approved the fiscal provisions.

FINANCING:

Approval of the recommended actions will have no impact on the County General Fund. The requested increase for FY 2016-17 of \$679,926 for estimated revenue and appropriations is the estimated amount needed for implementation and the first year of maintenance and support costs. The remaining \$211,903 is for years two and three of maintenance and support costs. Government Code section 27361(c) provides that a specified portion of recording fees, retained in Restricted Revenue Fund 020-2751 be available solely to "support, maintain, improve, and provide for the full operation for modernized creation, retention, and retrieval of information in each county's system of recorded documents." Sufficient funds are available in Restricted Revenue Fund 020-2751. Pending Board approval of the related transfer, there will be sufficient appropriations to finance the project.

Prepared by: Corina Morgan, Finance Manager, x5821

Authorized by:

Stephen L. Vagnini
Assessor-County Clerk/Recorder, x5803

Attachments:
Service Agreement