

MONTEREY COUNTY BOARD OF SUPERVISORS

MEETING: July 27, 2010 – CONSENT	AGENDA NO: 37
SUBJECT: a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to execute two agreements with CareAccess Silicon Valley, Inc. for a total of \$10,080 for the maintenance of websites to access third-party software, including non-standard Mutual Indemnification, Warranty and Liability provisions, for the period July 1, 2010 to June 30, 2011; and b. Authorize the Director of the Department of Social & Employment Services, or his designee, to sign up to three (3) amendments to these agreements, where the total amendments do not exceed 10% of the original contract amounts, and do not significantly change the scopes of work.	
DEPARTMENT: Social & Employment Services	

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to execute two agreements with CareAccess Silicon Valley, Inc. for a total of \$10,080 for the maintenance of websites to access third-party software, including non-standard Mutual Indemnification, Warranty and Liability provisions, for the period July 1, 2010 to June 30, 2011; and
- b. Authorize the Director of the Department of Social & Employment Services, or his designee, to sign up to three (3) amendments to these agreements, where the total amendments do not exceed 10% of the original contract amounts, and do not significantly change the scopes of work.

SUMMARY/DISCUSSION:

Contractor provides website access services to third party software used by Adult Protective Services and the Multipurpose Senior Services Program to access the AACTS and Q Continuum case management programs. In 2004, upon demand of CareAccess, the County modified its standard unilateral indemnification provision to include mutual indemnity, based on each party's action or inaction under the agreement.

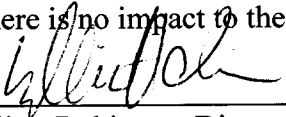
It is recommended that the proposed contract's non-standard mutual indemnity, limited warranty and limited contractor's liability language be approved as modified, and as set forth in the exhibits to these two contracts. It is the Department's position that these modifications to the County's standard provisions are necessary due to limited alternative resources for these services, the desire to preserve an ongoing positive relationship with the current provider, and the need for uninterrupted service. The new agreements contain the modified contractual language, and are being brought before the Board for approval.

OTHER AGENCY INVOLVEMENT:

County Counsel, the Auditor-Controller and Contracts/Purchasing have reviewed and approved these contracts, with the exception of the non-standard language which is being submitted for Board approval.

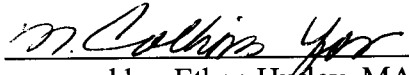
FINANCING:

Sufficient appropriations and estimated revenues are included in the FY 2010-11 Adopted Budget. There is no impact to the County General Fund.



Elliott Robinson, Director
Department of Social Services

Date: 7/8/10



prepared by: Ethan Hurley, MA II
ext: 3425

Date: 7/9/10

cc: County Administration, Auditor, County Counsel
Attachments: Proposed Order; Proposed Agreement on file with Clerk