



Monterey County Board of Supervisors

Board Order

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066
www.co.monterey.ca.us

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Chris Lopez to:

Agreement No.: A-13259; Amendment No.: 7

- a. Approve and Authorize the Assessor-County Clerk/Recorder to enter into the Annual Maintenance Support Agreement Amendment No. 7 with Megabyte Systems Inc., revising the amount by adding \$31,535 for a revised total agreement amount not to exceed \$396,369.30, for an extended term of July 1, 2022 through June 30, 2023; and
- b. Authorize the Assessor-County Clerk/Recorder authority to sign two future annual renewals to the Agreement under same or similar terms that do not significantly alter the scope of work or increase the annual payments in excess of 10% per year over the amended FY 2022-23 amount.

PASSED AND ADOPTED on this 3rd day of May 2022, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Askew and Adams
NOES: None
ABSENT: None
(Government Code 54953)

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting May 6, 2022.

Dated: May 4, 2022
File ID: A 22-180
Agenda Item No.: 22

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

Julian Lorenzana, Deputy



Monterey County

Item No.

Board Report

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

Legistar File Number: A 22-180

May 03, 2022

Introduced: 4/15/2022

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

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- b. Authorize the Assessor-County Clerk/Recorder authority to sign two future annual renewals to the Agreement under same or similar terms that do not significantly alter the scope of work or increase the annual payments in excess of 10% per year over the amended FY 2022-23 amount.

RECOMMENDATION

It is recommended that the Board of Supervisors:

- a. Approve and Authorize the Assessor-County Clerk/Recorder to enter into the Annual Maintenance Support Agreement Amendment No. 7 with Megabyte Systems Inc., revising the amount by adding \$31,535 for a revised total agreement amount not to exceed \$396,369.30, for an extended term of July 1, 2022 through June 30, 2023; and
- b. Authorize the Assessor-County Clerk/Recorder authority to sign two future annual renewals to the Agreement under same or similar terms that do not significantly alter the scope of work or increase the annual payments in excess of 10% per year over the amended FY 2022-23 amount.

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, the JustAppraised Applications Programming Interface (API), and a Tax Sale Module. These programs have benefited the Offices of the Assessor, Auditor, and Tax Collector.

On March 24, 2020, the Board authorized the County to enter into an agreement with Megabyte for software and support services not to exceed \$364,834.66 for July 1, 2020 through June 30, 2021. This authorization included four future annual renewals to the Agreement under same or similar terms

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that did not significantly alter the scope of work or increase the annual payments in excess of 3% per year over the FY 2020-21 amount. Megabyte did not increase service and support rates for FY 2021-22 due to the COVID pandemic and other natural disasters. However, changes in regional inflation rates have resulted in a 7% cost of living increase totaling \$31,535 for FY 2022-23.

Therefore, the County requests that the Board approve this Amendment No. 7 to the Maintenance and Support Services Agreement, as identified in the attached Exhibit A to the proposed Amendment for July 1, 2022 through June 30, 2023. Future amendments/extensions will permit seamless additional years of service, if appropriate, at a reasonable rate.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed the Amendment and has approved it as to form. The Agreement contains non-standard provisions/conditions including but not limited to, the following: vendor terms overriding County standard terms, as-is/limited/no liability/warranty performance, insubstantial/lack of intellectual property liability protection. The Auditor-Controller has approved 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 \$31,535 increase in shared maintenance costs in their projected 2022-2023 budget requests for the payment of the services to be performed pursuant to the Agreement.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The services rendered in this agreement provide the Assessor, Auditor-Controller & Treasurer-Tax Collector 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 Tabata, Management Analyst, x6607

DocuSigned by:
Chihiro Tabata
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Authorized by:

DocuSigned by:
Steve Vagnini
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Stephen L. Vagnini
Assessor-County Clerk/Recorder, x5803

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Attachments:

Amendment No. 7

Megabyte Annual Maintenance Agreement (2016)

Amendment No. 1

Amendment No. 2

Amendment No. 3

Amendment No. 4

Amendment No. 5

Amendment No. 6

**AMENDMENT No. 7 to the MPTS MAINTENANCE AGREEMENT
A-13259 between MEGABYTE SYSTEMS, INC. and the County of
Monterey**

THIS AMENDMENT No. 7 is made to the CONTRACTUAL AGREEMENT A-13259 (hereinafter referred to as “A-13259”) dated July 1, 2016, by and between the County of Monterey, a political subdivision of the State of California, hereinafter referred to as “COUNTY”, and MEGABYTE SYSTEMS INC., hereinafter referred to as “Contractor”.

WHEREAS, County and Contractor wish to amend A-13259 (hereinafter referred to as “Agreement”) to include an additional year of maintenance for the Megabyte Property Tax System for fiscal year 2022-2023 at a 7% cost of living increase from the current annual rate.

NOW THEREFORE, the COUNTY and CONTRACTOR hereby agree to amend the AGREEMENT in the following manner:

1. The Agreement is hereby amended to extend the term of the maintenance and support services for an additional year through and including June 30, 2023. For the maintenance and support between July 1, 2022 and June 30, 2023, the payment rates for services performed by Contractor for the additional time period shall be amended as set forth in Exhibit A, attached to this Amendment No. 7. The total financial liability to the County for the period July 1, 2022 to June 30, 2023 pursuant to the terms of this Amended Agreement shall not exceed \$396,369.30.
2. Effective July 1, 2022, and for the remainder of the term of the Agreement, the Payment for Services Rendered Exhibit A shall be replaced in its entirety with the Payment for Services Rendered Exhibit A, attached to this Amendment No. 7.
3. Except as provided herein, all remaining terms, conditions, provisions, entitlements and obligations of the Agreement shall remain unchanged and unaffected by this Amendment and shall continue in full force and effect. A copy of this Addendum No. 7 and its Exhibits shall be affixed to the original Agreement.

This space was intentionally left blank

IN WITNESS WHEREOF, the parties have executed this AMENDMENT on the day and year written below.

MONTEREY COUNTY

DocuSigned by:
Steve Vagmini
Assessor/County Clerk/Recorder

Dated: 5/4/2022 | 10:34 AM PDT

Approved as to Fiscal Provisions:

DocuSigned by:
Bruce Mousa
Auditor-Controller

Dated: 4/21/2022 | 2:25 PM PDT

Approved as to Form:

DocuSigned by:
Brian Briggs
Deputy County Counsel

Dated: 4/19/2022 | 2:38 PM PDT

CONTRACTOR

DocuSigned by:
By: Ryan Dean
Signature of Chair, President, or Vice-President

Ryan Dean Vice President

Printed Name and Title

Dated: 4/19/2022 | 2:32 PM PDT

DocuSigned by:
By: Nick Betts
(Signature of Secretary, Asst. Secretary, CFO, Treasurer or Asst. Treasurer)*

Nick Betts Secretary

Printed Name and Title

Dated: 4/19/2022 | 2:36 PM PDT

*INSTRUCTIONS: If CONTRACTOR is a corporation, including limited liability and non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two specified officers. If CONTRACTOR is a partnership, the name of the partnership shall be set forth above together with the signature of a partner who has authority to execute this Agreement on behalf of the partnership. If CONTRACTOR is contracting in an individual capacity, the individual shall set forth the name of the business, if any, and shall personally sign the Agreement.

EXHIBIT A**PAYMENT FOR SERVICES RENDERED**

FY-2022/2023 MPTS Maintenance Rates

01/27/22

Monterey County:

The following rates will be effective from July 1, 2022 thru June 30, 2023. These rates reflect an increase of 7.0%, in accordance with the Pacific Cities and U.S. City Average Consumer Price Index, for month ending December 2021.

FY-2022/2023 Rates	
MPTS Property Tax System Maintenance	\$361,588.27 annual charge
Online Business Property Filing Maintenance/Support	\$3,488.23 annual charge
Public Web – Assessor / Tax Collector Modules Agency	\$ 5,859.68 annual charge
Web – Assessor / Tax Collector Modules	\$14,649.29 annual charge
Tax Collector – Up to Seven Years View/Print Taxbill Online	\$ 2,500.00 annual charge
Tax Collector – Tax Sale Module	\$ 3,283.83 annual charge
Assessor – Just Appraised/Megabyte API	\$ 5,000.00 annual charge