



Monterey County

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Board Report

Legistar File Number: 17-0100

February 14, 2017

Introduced: 1/24/2017

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

- a. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute an Agreement with West Publishing Corporation, associated with Thomson Reuters Corporation, for Westlaw Print/Pro View Legal Solutions, for the period of January 1, 2017 through December 31, 2018, in the maximum amount of \$15,298.00;
- b. Accept non-standard contract provisions as recommended by the District Attorney;
- c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor, and the District Attorney to sign and execute the appropriate documents;
- d. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor, to issue purchase orders on an as-needed basis pursuant this Agreement over the period of January 1, 2017 through December 31, 2018.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute an Agreement with West Publishing Corporation, associated with Thomson Reuters Corporation, for Westlaw Print/Pro View Legal Solutions, for the period of January 1, 2017 through December 31, 2018, in the maximum amount of \$15,298.00;
- b. Accept non-standard contract provisions as recommended by the District Attorney;
- c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor, and the District Attorney to sign and execute the appropriate documents;
- d. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor, to issue purchase orders on an as-needed basis pursuant this Agreement over the period of January 1, 2017 through December 31, 2018.

SUMMARY:

It is requested that the Board authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign a non-standard Agreement with West Publishing, and to issue purchase orders on an "as needed" basis, in the aggregate amount not to exceed \$15,298, over the period of January 1, 2017 through December 31, 2018. To provide Westlaw Print/Pro legal solutions, eBooks, CD Roms and publications to the District Attorney in support of their operations here in Monterey County.

DISCUSSION:

The Office of the District Attorney requires up to date legal documents and reference materials for its Law Library, such as the California Insurance Code for 2017, California Environmental Laws for 2017, California Jury Instructions and many other pertinent documents. These services will assist in keeping current and up to date information available for assigned legal staff in the execution of their duties.

OTHER AGENCY INVOLVEMENT:

The Agreement was not approved by Risk Management due to the presence of the following non-standard terms/conditions in the Agreement:

(1) Paragraph 9.01, delete last sentence of paragraph 2 in its entirety, “This approval of insurance shall neither relieve nor decrease the liability of the Contractor.”

(2) Paragraph 9.04, paragraph 2, delete the first sentence, which begins “Each liability policy...” and replace with the following, “Commercial general liability policy shall provide that Insurers will endeavor to provide written notice thirty days in advance for cancellation or intended non-renewal.”

(3) Paragraph 9.04, paragraph 3, at the end of both sentences 2 and 3, add the following “, or its equivalent.”

(4) Paragraph 9.04, paragraph 4, delete sentence 2 in its entirety, which begins, “The CONTRACTOR shall file a new or amended...”

(5) Paragraph 3.02, delete the following words, “...without cause, with a thirty day (30) written notice, or...”, so the sentence now reads, “The County reserves the right to cancel this Agreement, or any extensions of this Agreement, with cause immediately.”

(6) Delete paragraph 7.01 in its entirety, “During the term of this Agreement...”.

These modifications are detailed in Exhibit A, paragraph A.2.

FINANCING:

Funding is available within the existing budget for the District Attorney, and future funding is anticipated to continue.

Prepared by: Bruce Suckow, Finance Manager II, Ext. 5259

Approved by: Dean D. Flippo, District Attorney, Ext. 5470

Attachments:

County of Monterey Standard Agreement with WEST Publishing