



# Monterey County

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## Board Report

Legistar File Number: 16-632

June 14, 2016

Introduced: 5/16/2016

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

- a. Authorize the Contracts/Purchasing Officer to execute an Agreement with LexisNexis, a division of RELX, Inc. for a subscription to LexisNexis legal research database, for the period of June 1, 2016 through May 31, 2021, in the maximum amount of \$98,000.00;
- b. Accept non-standard contract provisions as recommended by the District Attorney;
- c. Authorize the Contract/Purchasing Officer and the District Attorney to sign and execute the appropriate documents and verifications when required;
- d. Authorize the Contracts/Purchasing Officer to issue purchase orders on an as-needed basis pursuant this Agreement over the period of June 1, 2016 through May 31, 2021.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Authorize the Contracts/Purchasing Officer to execute an Agreement with LexisNexis, a division of RELX, Inc. for a subscription to LexisNexis legal research database, for the period of June 1, 2016 through May 31, 2021, in the maximum amount of \$98,000.00;
- b. Accept non-standard contract provisions as recommended by the District Attorney;
- c. Authorize the Contract/Purchasing Officer and the District Attorney to sign and execute the appropriate documents and verifications when required;
- d. Authorize the Contracts/Purchasing Officer to issue purchase orders on an as-needed basis pursuant this Agreement over the period of June 1, 2016 through May 31, 2021.

### SUMMARY:

It is requested that the Board authorize the Contracts/Purchasing Officer to sign a non-standard Agreement with LexisNexis, and to issue purchase orders on an "as needed" basis, in the aggregate amount not to exceed \$98,000.00, over the period of June 1, 2016 through May 31, 2021. The services provided are for the LexisNexis on-line legal research library database, for legal research and investigations in support of its mission to protect the citizens of Monterey County.

### DISCUSSION:

LexisNexis provides a powerful on-line, legal research tool for the legal staff of the office of the District Attorney. Using potent search algorithms, this system provides a robust and easy to use product that provides annotated federal and state legal codes, including:

- Briefs, pleadings and motions
- Jury instructions, verdicts and settlements

- Expert witness analysis
- Up-to-date surveys of state law
- International Court of Justice filings and judgements

The proposed Agreement is non-standard for the County, but is based upon the Vendor's standard agreement.

This proposed agreement provides these legal research services to the District Attorney from 1 June, 2016, through May 31, 2021. LexisNexis requires the county to execute the documents contained in Exhibits C and D, which are contrary to the standard contractual language.

OTHER AGENCY INVOLVEMENT:

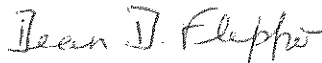
The Agreement was not approved by County Counsel and/or Risk Management, due to the presence of non-standard and unacceptable terms/conditions including but not limited to controlling terms contained throughout the vendor's separate contract forms as also set forth in Exhibits C and D of the Agreement regarding the right to terminate, changes in costs, late fees, payments, limitation of liability, liquidated damages, and authorized vendor execution authority. Risk Management has approved the insurance certificates and endorsements contained in Exhibit E.

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 LexisNexis