



Legislation Details (With Board Report)

File #: 19-0523 **Name:** CCR Iron Mountain FY 19/20 - FY 20/21
Type: General Agenda Item **Status:** Passed - Clerk Recorder's Office
File created: 6/27/2019 **In control:** Board of Supervisors
On agenda: 7/16/2019 **Final action:** 7/16/2019

Title: a. Approve and authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor, on behalf of the County Clerk/Recorder (CCR) to execute an agreement with Iron Mountain Information Management, LLC (Iron Mountain), for microfilm/microfiche storage in an amount not to exceed \$28,000, retroactive from July 1, 2019 to June 30, 2021; and
b. Accept non-standard language in the agreement provided by the vendor as recommended by the County Clerk/Recorder (CCR); and
c. Authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to sign up to three future amendments to the agreement, each for a one-year extension, with the same scope of services and the same non-standard language provisions, each amendment/year shall not exceed \$15,400 annually.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Iron Mountain 070119, 3. Item No. 24 Completed Board Order, 4. Fully Executed Agreement Between the County of Monterey and Iron Mountain Information Management, LLC

Date	Ver.	Action By	Action	Result
7/16/2019	1	Board of Supervisors	approved - clerk recorder	Pass

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RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor, on behalf of the County Clerk/Recorder (CCR) to execute an agreement with Iron Mountain Information Management, LLC (Iron Mountain), for microfilm/microfiche storage in an amount not to exceed \$28,000, retroactive from July 1, 2019 to June 30, 2021; and
- b. Accept non-standard language in the agreement provided by the vendor as recommended by the County Clerk/Recorder (CCR); and
- c. Authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to sign up to three future amendments to the agreement, each for a one-year extension, with the same scope of services and the same non-standard language provisions, each amendment/year shall not exceed \$15,400 annually.

SUMMARY/DISCUSSION:

The proposed agreement contains non-standard indemnification and liability provisions; however, Iron Mountain has provided offsite storage services to the CCR since 1985 without incident and these non-standard provisions are industry-wide standard although not County standard. The services provided by Iron Mountain are necessary for the offsite preservation, protection, and retention of Monterey County's official and vital records as mandated by Government Code 27322.2.

The CCR requests that Board approve an agreement effective July 1, 2019 through June 30, 2021, including non-standard provisions, between Iron Mountain and the Monterey CCR office. The agreement is for microfilm/microfiche storage and ensures the offsite vaulted preservation, protection, and retention of Official and Vital Records for Monterey County as mandated by Government Code 27322.2. Therefore, the CCR requests the Board of Supervisors approval to continue storage with Iron Mountain. Future amendments/extensions will permit seamless additional years of service, if appropriate, at a reasonable rate.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed the agreement and has not approved it due to the presence of non-standard provisions and execution, including but not limited to the following: limitations on liability, document protection, indemnification, execution by corporate representatives, and remedies. County Risk Management cannot approve the agreement due to non-standard indemnity and liability provisions.

FINANCING:

The funds for payment of this agreement have been included in the CCR (027-1180-ACR003-8004) FY 2019/20 Adopted Budget. Transactions relating to future fiscal years will be included in each respective Recommended Budget. Additional years/extensions are limited to 10% more than the initial term's annual rate.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This report correlates to the Administration Strategic Initiatives adopted by the Board of Supervisors by ensuring the preservation, protections, and retention of Monterey County's official and vital records as mandated by Government Code 27322.2.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Authorized by:

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

Attachments:

Service Agreement