



Legislation Details (With Board Report)

File #: A 20-321 **Name:** APEX Software 2020-2021 Maintenance Agreement
Type: BoS Agreement **Status:** Passed - Assessors' Office
File created: 8/4/2020 **In control:** Board of Supervisors
On agenda: 8/18/2020 **Final action:** 8/18/2020

Title: a. Retroactively approve and authorize the County, by and through the County Assessor, to enter into an Annual Software Support Agreement with Apex Software, effective July 1, 2020, for the term July 1, 2020 through June 30, 2021, in an amount not to exceed \$3,500;
b. Accept non-standard terms and conditions requested by vendor as recommended by the Assessor; and
c. Authorize the Assessor to sign four future annual renewals to the agreement under same or similar terms that do not materially change the scope of work or increase the annual payments in excess of 10% per year.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Agreement, 3. Exhibit A, 4. Item No. 28 Completed Board Order

Date	Ver.	Action By	Action	Result
8/18/2020	2	Board of Supervisors	approved - assessors office	Pass

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c. Authorize the Assessor to sign four future annual renewals to the agreement under same or similar terms that do not materially change the scope of work or increase the annual payments in excess of 10% per year.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- A. Retroactively approved and authorized the County, by and through the County Assessor, to enter into an Annual Software Support Agreement with Apex Software, effective July 1, 2020, for the term July 1, 2020 through June 30, 2021, in an amount not to exceed \$3,500;
- B. Accepted non-standard terms and conditions requested by vendor as recommended by the Assessor; and
- C. Authorize the Assessor to sign four future annual renewals to the agreement under same or similar terms that do not materially change the scope of work or increase the annual payments in excess of 10% per year.

SUMMARY/DISCUSSION:

The Assessor's Office has utilized APEX Software with much success for over 10 years. This software is necessary due to the needs of the Assessor's office to continue to draw blueprints without interruption in the current workload and to eliminate the creation of a potential backlog. The Assessor's Office currently holds 30 APEX licenses and each staff member that has a license assigned to him/her has received and will continue to receive the necessary training to perform the assigned duty of drawing pending blueprints. To change vendors at this time would cause an interruption in the current workload and create a backlog. It is the recommendation of the Assessor that the Maintenance Renewal for 2020 be approved notwithstanding the non-standard provisions as a business necessity, for this is an important and key tool for the Assessor's Office and the County.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed the Agreement and has not approved it because it perpetuates the non-standard provisions/conditions including, but not limited to, the following: as-is/limited/no liability/warranty performance, no intellectual property liability. County Risk reviewed the Agreement and did not approve due to non-standard insurance and indemnity provisions.

FINANCING:

There is no additional cost to the County General Funds, as the annual software support cost of \$3,210 has been included in the Assessor's 2020-2021 Adopted Budget (1180-ACR001-8003) for the recommended action. Future annual extensions will be funded through annual budget allocations.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The services rendered in this agreement provide the Assessor 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: Emma Rayas, Administrative Services Officer, x5930

Authorized by: Stephen L. Vagnini, Assessor-Clerk/Recorder, x5803

Attachments: APEX Non-Standard Maintenance and Support Agreement

Exhibit A 2020-2021 APEX Invoice and Product description