



County of Monterey

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

Board Report

File #: 12-486, **Version:** 1

- a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign the agreement with CareAccess Silicon Valley, Inc. for \$5,460 for website maintenance to access third-party software, including non-standard Mutual Indemnification, Warranty and Liability provisions, for the period July 1, 2012 to June 30, 2013; and
- b. Authorize the Director of the Department of Social & Employment Services, or his designee, to sign up to three (3) amendments to these agreements, where the total amendments do not exceed 10% of the original contract amounts, and do not significantly change the scopes of work.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign the agreement with CareAccess Silicon Valley, Inc. for \$5,460 for website maintenance to access third-party software, including non-standard Mutual Indemnification, Warranty and Liability provisions, for the period July 1, 2012 to June 30, 2013; and
- b. Authorize the Director of the Department of Social & Employment Services, or his designee, to sign up to three (3) amendments to these agreements, where the total amendments do not exceed 10% of the original contract amounts, and do not significantly change the scopes of work.

SUMMARY/DISCUSSION:

The Contractor provides website access services to third party software used by Adult Protective Services AACTS case management program. In 2004, upon request of CareAccess, the County modified its standard unilateral indemnification provision to include mutual indemnity, based on each party's action or inaction under the agreement. The County has had an agreement with CareAccess since 2004.

It is recommended that the proposed contract's non-standard mutual indemnity, limited warranty and limited contractor's liability language be approved as modified, and as set forth in the exhibits to this contract. It is the Department's position that these modifications to the County's standard provisions are necessary due to limited alternative resources for these services, the desire to preserve an ongoing positive relationship with the current provider, and the need for uninterrupted service. The new agreement contains the modified contractual language, and is being brought before the Board for approval.

OTHER AGENCY INVOLVEMENT:

County Counsel, the Auditor-Controller and Contracts/Purchasing have reviewed and approved this contract, with the exception of the non-standard language which is being submitted for Board approval.

FINANCING:

Sufficient appropriations and estimated revenues are included in the FY 2012-13 Proposed Budget. There is no impact to the County General Fund.

Prepared by: Ethan Hurley, Management Analyst, 3584

Approved by: Elliott Robinson, Director, 4434

Attachments:

CareAccess Agreement (2012/13)

Original on file with Clerk to the Board