



County of Monterey

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

Board Report

File #: A 16-210, **Version:** 1

- a. Approve and authorize the Director of the Department of Social Services to sign an agreement with McWilliams-Mailliard Technology Group, Inc. for \$37,750 to provide license and subscriptions to the AACTS software for Adult Protective Services staff for the period July 1, 2016 through June 30, 2018, including non-standard terms and conditions; and
- b. Authorize the Director of the Department of Social Services to sign up to three (3) amendments to this agreement where the total amendments do not exceed 10% (\$3,775) of the original contract amount, and do not significantly change the scope of work.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Director of the Department of Social Services to sign an agreement with McWilliams-Mailliard Technology Group, Inc. for \$37,750 to provide license and subscriptions to the AACTS software for Adult Protective Services staff for the period July 1, 2016- June 30, 2018, including non-standard terms and conditions; and
- b. Authorize the Director of the Department of Social Services to sign up to three (3) amendments to this agreement where the total amendments do not exceed 10% (\$3,775) of the original contract amount, and do not significantly change the scope of work.

SUMMARY/DISCUSSION:

Contractor has provided AACTS software to the Adult Protective Services (APS) Program since 2004. AACTS software supports APS case management data entry, client documentation and prepares statistical data for required monthly reports to the State. In addition, AACTS enhances the administrative oversight of Adult Protective Services and assures compliance with specific state regulations and mandates. The software is reliable, is regularly updated and staff continues to participate in workgroup meetings with other AACTS users in the state of California to ensure the software meets user needs.

The contractor requires mutual indemnification in all of its service agreements. In addition, this Agreement modifies the County's standard contract language regarding termination, limitation of professional liability, assignment and subcontracting, among other provisions. Throughout the years, the Department of Social Services has attempted to negotiate more favorable terms for the County but certain terms are non-negotiable for the contractor. Therefore, it is recommended that the County's standard indemnity language be replaced in this agreement with Contractor's Mutual Indemnification provision, and that the County accept the non-standard terms and conditions due to limited alternative resources for this software/programming, and the need for uninterrupted service.

OTHER AGENCY INVOLVEMENT:

The Auditor-Controller and Purchasing have reviewed and approved the proposed Agreement. County Counsel has reviewed the agreement and has approved it as to legal form only.

FINANCING:

This agreement is funded 100% by Federal, State and realignment funds. Sufficient appropriations and estimated revenues in SOC005 are included in the FY 2016-2017 Adopted Budget. Approval of this action has no impact to the County General Fund.

Prepared by: Allison Yant, MA II, x1516

Approved by: Elliott Robinson, Director Social Services, x4434

Attachment: McWilliams-Mailliard Technology Group Agreement (2016/2018)

Proposed agreement is filed with the Clerk of the Board as an attachment to this Board Report