



Board Report

File #: 15-0633, **Version:** 1

- a. Authorize the Contracts/Purchasing Officer to sign the Annual Software Support Agreement with Tyler Technologies in the annual amount of \$38,587.00 for the period of July 1, 2015 through June 30, 2016;
- b. Accept non-standard County Liability and indemnification provisions as recommended by the Assessor; and
- c. Authorize the Contracts/Purchasing Officer to sign five future annual renewals to the Agreement under same or similar terms that do not change the scope or increase the annual payments in excess of 5% per year.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- A. Authorize the Contracts/Purchasing Officer to sign the Annual Software Support Agreement with Tyler Technologies in the annual amount of \$38,587.00 for the period of July 1, 2015 through June 30, 2016; and
- B. Accept non-standard County Liability and indemnification provisions as recommended by the Assessor; and
- C. Authorize the Contracts/Purchasing Officer to sign five future annual renewals to the Agreement under same or similar terms that do not change the scope or increase the annual payments in excess of 5% per year.

SUMMARY/DISCUSSION:

On January 9, 2013, the Board approved the Assessor's request to enter into an agreement with Tyler Technologies for a residential computer aided mass appraisal system (CAMA). Tyler Technologies' Assessments Evaluation Services (AES) is a program that utilizes market driven heuristic rules that provide defensible results needed to satisfy homeowner inquiries and assessment appeals. The AES program provides valuation tools that have been developed to deal specifically with Decline-in-Value issues and Assessment Appeals in a legislative environment that is unique to California.

The Assessor's department has utilized this program with much success for over two years. We are now requesting that the Board approve the annual software support agreement as it is not the County's Standard Agreement and has non-standard County liability and indemnification provisions. The proposed Agreement contains limits to Tyler Technologies' indemnity and liability that are consistent with software support agreements in general and similar to those contained in the agreements that Tyler Technologies' has with other County entities within California. It is the recommendation of the Assessor that the Agreement be approved notwithstanding these provisions for this is an important and key tool for the department and the County.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed the Agreement and has not approved it due to non-standard provisions/conditions including, but not limited to, the following: as-is/limited/no liability/warranty performance, no intellectual property liability. County Risk has reviewed the Agreement but has not approved 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 \$38,587.00 has been included in the Assessors' 2015-16 Adopted Budget (1180-ACR001-8003) for the recommended action.

Prepared by: Emma Rayas, Administrative Services Officer, Monterey County Assessor, x5930

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

Attachments:

Annual Software Support Agreement