



Board Report

File #: 19-0865, **Version:** 1

- a. Approve and authorize a non-standard agreement in the amount of \$2,500 between the County of Monterey, by and through the Monterey County Treasurer-Tax Collector, and RELX, dba LexisNexis, which specifies Accurant for Government Transactional Debtor Location and Research Services to be performed under the terms of the State of California negotiated Standard Agreement No. 5-17-70-12, for the period of December 1, 2019 through December 31, 2020;
- b. Authorize the Monterey County Treasurer-Tax Collector to sign the non-standard agreement for Accurant for Government - Tax - Transactional Debtor Location and Research Services; and
- c. Authorize the Monterey County Treasurer-Tax Collector to extend the agreement for up to two one-year contract extensions with LexisNexis, as indicated by the State of California negotiated Standard Agreement No. 5-17-70-12, where the Amendments do not exceed ten percent of the original Agreement amount or significantly change the scope of work.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize a non-standard agreement in the amount of \$2,500 between the County of Monterey, by and through the Monterey County Treasurer-Tax Collector, and RELX, dba LexisNexis, which specifies Accurant for Government Transactional Debtor Location and Research Services to be performed under the terms of the State of California negotiated Standard Agreement No. 5-17-70-12, for the period of December 1, 2019 through December 31, 2020;
- b. Authorize the Monterey County Treasurer-Tax Collector to sign the non-standard agreement for Accurant for Government - Tax - Transactional Debtor Location and Research Services; and
- c. Authorize the Monterey County Treasurer-Tax Collector to extend the agreement for up to two one-year contract extensions with LexisNexis, as indicated by the State of California negotiated Standard Agreement No. 5-17-70-12, where the Amendments do not exceed ten percent of the original Agreement amount or significantly change the scope of work.

SUMMARY/DISCUSSION:

The Monterey County Treasurer-Tax Collector conducts research to identify parties of interest related to delinquent real property tax auctions and as required by California State statute. The LexisNexis online service provides the Tax Division the ability to locate parties that may have an interest in a property subject to legal action by the tax collector for failure to pay property taxes.

On October 21, 2010, Monterey County Contracts and Purchasing entered into a non-standard agreement with LexisNexis for these type of Transactional Services for the Tax

Division for a 12-month term beginning July 1, 2010, which automatically renewed under the same terms and conditions.

Effective December 13, 2017, the State of California and RELX Inc, dba LexisNexis, entered into a master agreement for the provision of electronic research, proprietary legal research, information and news databases, and print products for the period of December 13, 2017 through December 31, 2020 to political subdivisions

within the State This master agreement provides a better product at a lower cost than the similar product currently obtained in the agreement between the County and LexisNexis. The Monterey County Treasurer-Tax Collector wishes to join the State master agreement at this time; it is the recommendation of the Treasurer-Tax Collector that the Agreement documents be approved and the services obtained notwithstanding the non-standard terms as a business necessity and because they are industry standard and similar to the terms of the existing agreement which has not resulted in issues to date.

Obtaining the services pursuant to the master agreement will permit the County continued online access for the research and updating of debtor information to assist with the statutorily required search for parties of interest related to delinquent real property collections/auction proceedings. The amount due and owing under the life of the Agreement has the potential of exceeding \$100,000 and the terms of the State Master Agreement and the LexisNexis documents for these services contain non-standard terms and conditions so that the agreement and further extensions cannot be executed without Board approval.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed the LexisNexis Master Terms & Conditions - Government and is not able to approve it due to the existence of non-standard terms, including but not limited to “as-is” provisions, lack of insurance, no warrant, lack of indemnity, and terms subject to vendor’s unilateral ability to modify terms and conditions including but not limited to pricing.

FINANCING:

Approval of the agreement has no additional impact on the County’s General Fund or current County Budget. The Treasurer-Tax Collector’s Tax Division offsets related expenses through the delinquent tax sale process. The agreement in the annual amount of \$2,500 will fund services during the period of December 1, 2019 through December 31, 2020. The estimated annual cost of \$2,500 is based on the LexisNexis Schedule A - Tax - Transactional Services.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The request to enter into this agreement supports the County’s Administration policy because it allows the department to operate in an efficient and cost-effective manner by having reliable access to debtor research and location services.

Mark a check to the related Board of Supervisors Strategic Initiative Monterey County.

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

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Approved by: Mary A. Zeeb, Treasurer-Tax Collector, x5474

Attachments: State of California Standard Agreement 5-17-70-12
LexisNexis Schedule A - Tax - Transactional Services