



County of Monterey

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

Board Report

File #: 19-0862, **Version:** 1

- a. Approve and authorize a non-standard agreement in the amount of \$60,000 between the County of Monterey, by and through the Monterey County Treasurer-Tax Collector and RELX, dba LexisNexis, which specifies Batch File Services to be performed under the terms of the LexisNexis Master Terms & Conditions - Government for the period of December 1, 2019 through December 31, 2022;
- b. Authorize the Monterey County Treasurer-Tax Collector to sign the non-standard agreement for Batch Services with LexisNexis; and
- c. Authorize the Monterey County Treasurer-Tax Collector to extend the agreement for up to two one-year contract extensions, where the Amendments do not exceed ten percent of the 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 \$60,000 between the County of Monterey, by and through the Monterey County Treasurer-Tax Collector and RELX, dba LexisNexis, which specifies Batch File Services to be performed under the terms of the LexisNexis Master Terms & Conditions - Government for the period of December 1, 2019 through December 31, 2022;
- b. Authorize the Monterey County Treasurer-Tax Collector to sign the non-standard agreement for Batch Services with LexisNexis; and
- c. Authorize the Monterey County Treasurer-Tax Collector to extend the agreement for up to two one-year contract extensions, where the Amendments do not exceed ten percent of the Agreement amount or significantly change the scope of work.

SUMMARY/DISCUSSION:

The Monterey County Treasurer-Tax Collector currently completes research, for the collection of court ordered debt, through the use of LexisNexis Batch File Services by way of a contract with Columbia Ultimate Business Systems (CUBS). This automated batch service provides the Revenue Division the ability to exchange data files from the CUBS collection system with LexisNexis and receive the most current debtor contact information, such as phone numbers and mailing address.

The Monterey County Treasurer-Tax Collector wishes to contract directly with LexisNexis at this time in order to expand the batch processing for the research and updating of debtor information and to assist with the process of court ordered collections; the transfer of services and the request to contract directly with LexisNexis is pursuant to the request of CUBS, the current middle-man administrator of the services. The batch file services assist with collecting current contact information on debtors with delinquent fines and fees. 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 with CUBS which has not resulted in issues to date.

Obtaining the services pursuant to a new agreement directly with LexisNexis will permit the County continued automated batch file services for the research and updating of debtor information to assist with the process of debt collection services. The amount due and owing under the life of the Agreement and

services by this vendor has the potential of exceeding \$100,000 and the terms of 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 non-standard agreement has no impact on the County’s General Fund nor on the current County Budget. The Treasurer-Tax Collector’s Revenue Division recoups related expenses through the revenues derived from the collection of Court Ordered Debt. The non-standard agreement in the amount of \$60,000 will fund services during the period of December 1, 2019 through December 31, 2022. The estimated cost of \$60,000 is based on the LexisNexis Schedule A - Batch Services.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The request to enter into this agreement supports the County’s Administration policy as it allows the department to operate in an efficient and cost-effective manner by ensuring debtor data is reliable and accessible.

Mark a check to the related Board of Supervisors Strategic Initiatives

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

Prepared by: Sean Gomes, Finance Systems Manager, x5436

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

Attachments: LexisNexis Master Terms and Conditions
LexisNexis Schedule A - Batch Services