MEMORANDUM
OFFICE OF THE
PLACER COUNTY CLERK – RECORDER – REGISTRAR OF VOTERS

TO: Honorable Board of Supervisors
FROM: Jim McCauley, Placer County Clerk–Recorder–Registrar of Voters
DATE: November 4, 2008
SUBJECT: Authorize the County Clerk–Recorder to Negotiate and Execute a Computer Software Contract with a Qualified Vendor for Licensing and Implementation of an Integrated and Comprehensive Clerk–Recorder/Cashiering/Indexing/Imaging System, Including Electronic Recording and Imaging Redaction, Subject to County Counsel and Risk Management Review and Approval, and Approve All System Implementation and Equipment Costs to be Reimbursed from Departmental Trust Funds.

Actions Requested

1. Authorize the County Clerk–Recorder to negotiate and execute a computer software contract with a qualified vendor for licensing and implementation of an integrated and comprehensive Clerk–Recorder/Cashiering/Indexing/Imaging system, including electronic recording and imaging redaction, subject to County Counsel and Risk Management review and approval; and
2. Approve all system implementation and equipment costs to be reimbursed from departmental trust funds.

Background

As previously noted, the Placer County Clerk–Recorder–Registrar of Voters is required to manage and maintain the Clerk–Recorder functions to provide for the orderly, accessible and permanent recordkeeping of land–related, vital and other records for the benefit of businesses and the public. Currently, this involves receiving, reviewing, cashiering, indexing, scanning and storing of images for over 100,000 land–related legal documents annually, plus County Clerk vital and business records, such as marriage licenses and birth certificates for persons born in Placer County. These important records have been automated for some time, but with the advent of newer technologies and requirements, such as for electronic recording and redaction of Social Security numbers, it is appropriate to update the present systems.

Several years ago, the Placer County Clerk–Recorder–Registrar of Voters began efforts to bring the advantages of electronic recording to Placer County, which culminated in the passage of the Electronic Recording Delivery Act (ERDA) of 2004, allowing counties to implement electronic recording under the oversight of the State Attorney General's Office. Following passage of ERDA, Placer continued to work with the Attorney General's Office to assist with development of regulations. Among the requirements are that County Recorders must verify, prior to entering into a contract with a vendor of an Electronic Recording Delivery System (ERDS) software, that the vendor has a valid ERDS certification issued by the Attorney General.

On July 8, 2008, your Board approved the Placer County Clerk–Recorder–Registrar of Voters to negotiate and execute a sole source computer software contract with RecordFusion of Pennsylvania for an integrated and comprehensive Clerk–Recorder/Cashiering/Indexing/Imaging

system, including electronic recording and imaging redaction, and subject to review and approval of County Counsel and Risk Management. At that time, only RecordFusion had been approved by the State of California as a certified electronic recording systems vendor.

Issue and Analysis

Since July, however, while the Placer County Clerk–Recorder department has been working to complete contract negotiations with RecordFusion, three additional vendors have become certified by the State for electronic recording. The County Clerk–Recorder–Registrar and his staff have had the opportunity to review aspects of all four of the certified systems over the last several years. With additional competition, too, comes the potential for cost savings, which is evident from informal proposals received to date.

Accordingly, the Clerk–Recorder department believes that it is prudent to change course from completing a contract with RecordFusion, the vendor originally recommended to your Board, and expand contract negotiations to include one or more qualified vendors that would meet the County's needs. This revised direction would allow the County Clerk–Recorder to still accomplish a timely implementation of a new system, including the benefits of new and more efficient technology compared to the County's current system, while potentially realizing significantly lower one–time and ongoing costs. Of course, your Board would be advised of the Clerk–Recorder system vendor ultimately selected by the department and the final costs negotiated; additionally, any contract would still be subject to concurrence by Counsel and Risk Management.

Acquiring a new Clerk–Recorder system, including integrated electronic recording and redaction capabilities, has previously been discussed with the County's Administrative Services Information Technology staff, and that department has reviewed the Clerk–Recorder systems proposals received to date. Additionally, in accordance with Sect. 1.3(i) of the County's Purchasing Policy Manual, data processing services, software, equipment, installation, maintenance and training may be exempted from competitive procurement requirements. A copy of this memorandum has also been provided to Administrative Services Information Technology management and to Procurement Services.

Fiscal Impact — No net General Fund Impact.

A sufficient appropriation has been included within the department's FY 2008-09 Budget for a new Clerk–Recorder system licensing and implementation costs. All acquisition and implementation costs will be fully reimbursed from departmental trust funds specifically set aside for such system acquisitions. Additionally, support and maintenance costs after the first year for the system are expected to be substantially less than the amount presently charged for such services, which will result in additional and ongoing cost savings to the County.

Equipment needs and costs for the recommended systems are being completed, but are expected to be within the project amounts budgeted as well. However, should there be any additional *fixed asset* equipment required for the recommended systems beyond that already identified, such items would be brought back to your Board for separate consideration. Finally, as with the licensing and implementation costs, all system equipment costs would also be fully reimbursed from departmental trust funds.