



Board Agenda Item 23

DATE: February 22, 2022

TO: Board of Supervisors

SUBMITTED BY: Paul Dictos, CPA, Assessor-Recorder
Robert Bash, Director of Internal Services/Chief Information Officer

SUBJECT: Retroactive Agreement with BMI Imaging Systems, Inc.

RECOMMENDED ACTION:

- 1. Make a finding that it is in the best interest of the County to suspend the competitive bidding process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances as BMI Imaging Services, Inc. hosts digital images of vital records, recorded documents, and indexes in a proprietary product produced by BMI Imaging Systems, Inc.; and,**
- 2. Approve and authorize Chairman to execute a retroactive Agreement with BMI Imaging Systems, Inc. for hosting services and support, effective December 6, 2021, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$650,000.**

Approval of the recommended actions will allow the Assessor-Recorder's Office to purchase software licenses and online hosting services from BMI Imaging Systems, Inc (BMI) to store digital images of recorded documents. The agreement is funded with revenues recovered by Recorder. This item is countywide.

ALTERNATIVE ACTION(S):

Should your Board not approve the recommended actions, the Assessor-Recorder's Office would need to expend staff time to find a new image hosting server, and transfer over the digital images currently hosted by BMI.

SUSPENSION OF COMPETITION/SOLE SOURCE CONTRACT:

The Internal Services Department - Information Technology Services (ISD-IT) and Assessor-Recorder's request to suspend the competitive bidding process is consistent with Administrative Policy No. 34 as the Digital Reel™ imaged products are proprietary to BMI and their hosting services support future upgrades to the application at no additional cost to the County. Staff research of estimates and alternative solutions show BMI to be the most cost-effective solution available. The ISD - Purchasing Division concurs with the Departments' request to suspend the competitive bidding process

RETROACTIVE AGREEMENT:

The prior agreement (Agreement No. 16-676) with BMI Imaging Systems, Inc. for hosting services expired on December 5, 2021. The recommended agreement is retroactive to December 6, 2021, so that payments

may be issued for services rendered since that date. The delay in bringing this item to your Board on an earlier date was due to contract negotiations taking longer than anticipated.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The maximum compensation in FY 2021-22 is \$27,600; \$650,000 Sufficient appropriations and estimated revenues are included in the Recorder Org 1048 FY 2021-22 Adopted Budget will be included in future budget requests.

DISCUSSION:

On August 16, 2005, the Board approved Agreement No. 05-358 with BMI, for specialized services to convert microform images to electronic images, and further authorized the Recorder to make use of up to 15 concurrent network software licenses of BMI's Digital Reel™ 3.0 (bi-tonal) software in connection with imaging and related activities. The agreement expired on August 30, 2006.

On January 15, 2008, Purchasing Agreement No. 280101E-0 was approved to digitize approximately 350 microfilm rolls of grantor-grantee indexes and 500 microfilm rolls containing vital records and approximately 25,000 index pages of vital records. The agreement expired on January 31, 2010.

On January 10, 2012, the Board approved Agreement No. 12-023 to upgrade from Digital Reel™ 3.0 to Digital Reel™ 5.0 software, and to provide specialized services in connection with the conversion and upgrade of the Recorder's files from microform images to electronic images.

ISD - IT hosted the application until 2016, when BMI offered to relocate the Assessor's data to its primary data center (Raging Wire, a Tier 4 Data Center) in Sacramento, CA, which is also replicated in BMI's Sunnyvale data center. On December 16, 2016, the Board accepted this relocation and moved the County's images to the upgraded version hosted at BMI's data center through the approved Agreement No. 16-676.

The recommended agreement will allow the Assessor-Recorder's Office to continue using BMI's servers for storage of digital images of recorded documents and to continue scanning its records into digital storage. As part of the recommended agreement, the Assessor-Recorder's Office will purchase licenses to use BMI's system software, including five anonymous accounts for use by the public on the Assessor-Recorder's website, ten licenses for kiosks accessible to the public in the Assessor-Recorder's Office, and 20 named licenses for use by employees of the Assessor-Recorder's Office.

REFERENCE MATERIAL:

BAI #16, December 6, 2016
BAI #21, January 10, 2012
BAI #26, August 16, 2005

ATTACHMENTS INCLUDED AND/OR ON FILE:

Suspension of Competition Acquisition Request Form
On file with Clerk - Agreement with BMI Imaging Systems, Inc.

CAO ANALYST:

Sonia M. De La Rosa