



# Board Agenda Item 31

DATE: May 1, 2018

TO: Board of Supervisors

SUBMITTED BY: Lisa A. Smittcamp, District Attorney-Public Administrator

SUBJECT: Retroactive Contract extension with LexisNexis for Legal Research

RECOMMENDED ACTION(S):

**Approve and authorize the Chairman to execute Retroactive Amendment I to Agreement No. 15-063 Lexis Advance Subscription for State/Local Government and Retroactive Amendment I to Agreement No. 15-064 Lexis for Microsoft Office end user license agreement for legal research and public records database access effective March 1, 2018 through February 28, 2021 (\$113,724).**

Execution of these amendments will allow the District Attorney-Public Administrator's Office to continue to conduct the legal research necessary to perform its job duties, with no additional Net County Cost. This item is countywide.

ALTERNATIVE ACTION(S):

If the amendments are not executed, the District Attorney-Public Administrator's Office (DA-PA) will not have access to the legal research database.

RETROACTIVE AGREEMENT:

The request to approve and authorize the Lexis Advance Subscription Amendment for State/Local Government and the Lexis for Microsoft Office Amendment is retroactive because the DA-PA required more time to evaluate the vendor proposals and was not able to meet the County's processing deadline for placement on an earlier Board date.

FISCAL IMPACT:

There is no increase in Net County Cost associated with this action. Since this is a continuation of an existing service, adequate appropriations are included in the FY 2017-18 District Attorney-Public Administrator Org 2860 Adopted Budget. The current agreement with LexisNexis is \$34,526 per year. The recommended LexisNexis extension is \$37,908 per year for the next three years (\$3,159 per month). Sufficient appropriations will be included in future requested budgets for the department.

DISCUSSION:

On February 24, 2015, your Board approved an Agreement with LexisNexis for legal research and public records database access. This agreement consisted of three separate documents: (1) Agreement No. 15-063: Lexis Advance Subscription Agreement for State/Local Government (the base licensing agreement including monthly costs), (2) Agreement No. 15-064: Lexis for Microsoft Office end user license agreement, and (3) Agreement No. 15-065: Contract Addendum which amends and supplements the terms of the

LexisNexis Subscription Agreement. These current agreements expired on February 28, 2018.

There are only two vendors capable of supplying the legal research and public records database necessary for a law office: Westlaw and LexisNexis. The DA-PA, under the supervision of County Purchasing, accepted proposals from both vendors and assembled an evaluation team that was comprised of three attorneys, one IT analyst, and two management staff. During the selection process, the evaluation team was allowed access to both products on a trial basis. The team met to discuss their findings and selected LexisNexis. Although WestLaw was slightly lower in cost than LexisNexis, the evaluation team determined that the cost savings would not outweigh the costs of having to train the attorney staff on a new database system.

The Lexis Advance Subscription Amendment for State/Local Government will allow DA-PA legal staff to access electronic research databases in order to conduct legal research, prepare and respond to legal motions, argue to the court, and maintain competence as the law changes. The Lexis for Microsoft Office Amendment is an added feature that integrates with Microsoft Outlook and Microsoft Word to drastically reduce the time it takes to draft or respond to legal documents. Other unique offerings include Lexis Advance platform, access to full Witkin library databases, briefs, pleadings, motions and online access to LexisNexis books. These tools improve efficiency and have repeatedly demonstrated their cost effectiveness. Additionally, this research and database service helps alleviate the need for paperbound books and journals necessary to perform these functions, thus reducing library costs and saving staff time through the elimination of manually updating resources.

The amendments to the Lexis Advance Subscription Agreement for State/Local Government consists of two separate documents requiring signature: (1) Lexis Advance Subscription Amendment for State/Local Government (Existing Subscriber Version), and (2) LexisNexis for Microsoft Office Amendment.

REFERENCE MATERIAL:

BAI No. 29 - February 24, 2015

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Amendments to Agreement with LexisNexis

CAO ANALYST:

Jeannie Z. Figueroa