



Legislation Text

File #: 2023-0165, Version: 1

Report to Mayor and City Council

Tuesday, June 06, 2023

Consent

SUBJECT:

**CONSIDER APPROVING AN AGREEMENT FOR CONTRACT SERVICES WITH
ESCRIBE SOFTWARE LTD., FOR AGENDA AND DOCUMENT MANAGEMENT
SERVICES (CITY COUNCIL)**

I. SUMMARY

The City currently uses Granicus/Legistar software for agenda management, approval workflows, internet streaming, archiving, and broadcasting of City Council meetings. Unfortunately, the antiquated non-intuitive interface is difficult to use, is cumbersome with simple edits, sluggish, and very time-consuming when creating/editing agendas. An RFP was issued to find a solution to these challenges and eScribe Software Ltd. was chosen as their online software platform not only addressed the issues encountered, was the most aligned with City's requirements, and would be at a lower cost over a 5 year period.

Staff is recommending that the City Council award a 2-year contract services agreement, in the amount of \$75,683, with City options to extend the term by three (3) additional one-year terms, to eScribe Software Ltd., to provide the software, support, and maintenance for eScribe Agenda Management Software License and Subscription. If City were to exercise all three options to extend, the total not to exceed amount will be \$189,197.

II. RECOMMENDATION

1. APPROVE a two-year annual license and support contract with eScribe Software Ltd., in an amount not to exceed \$75,683; and
2. AUTHORIZE the Mayor to execute the contract after approval as to form by the City Attorney.

III. ALTERNATIVES

TAKE another action the City Council deems appropriate

IV. BACKGROUND

The City currently uses Granicus/Legistar software for agenda management, approval workflows, internet streaming, archiving, and broadcasting of City Council meetings. Unfortunately, the antiquated non-intuitive interface is difficult to use, is cumbersome with simple edits, sluggish, and very time-consuming when creating/editing agendas.

The City has been using the streaming media and video hosting services from Granicus since 2006. This allowed the live broadcasting of City Council meetings over the internet. The City has also used Granicus software to make staff reports, agendas, and minutes synchronized to the archive videos, all of which are available through the City's website.

In 2014, the City purchased the Legistar software that enabled the automation of the entire legislative process. This software made the staff report process paperless and approval workflows streamlined across all departments. The City Clerk's office purchased eDisclosure from South Tech Systems, Inc. that enables filing officers and officials to complete and electronically submit Form 700 Statement of Economic Interests online to the FPPC.

The Purchasing Division released an RFP (No. 23-002) for the Agenda Management System Replacement. The bid opening was held in the City Clerk's office at 4:00 p.m. on January 31, 2023. There were five (5) bid responses: eScribe Software Ltd. was chosen by an Internal Selection Committee in accordance with Section 2611(c) of the Carson Municipal Code applicable to professional services, as their Agenda Management platform was the most aligned with our requirements, addressing our challenges, our requirements and future goals.

Staff is recommending that the City Council award a 2-year contract services agreement to eScribe Software Ltd., in the amount of \$75,683, with City options to extend the term by three (3) additional one-year terms. If City were to exercise all three options to extend, the total not to exceed amount will be \$189,197.

Legal Contract Issues

The agreement itself has been extensively negotiated between the consultant and the City Attorney's office.

The primary issue that staff would like to call to City Council's attention is that consultant insists upon limiting its liability exposure to five (5) times the Contract Sum of \$75,683 (as increased according to any City exercise of its options to extend) or the applicable insurance coverage listed in the agreement, whichever is greater, except there shall be no limitation of liability in the event of any gross negligence or intentional misconduct of consultant. Staff wanted to make Council aware of this limitation of liability prior to any award of contract to eScribe Software Ltd.

Another aspect of the agreement of note is that while City typically retains its ability to terminate professional services agreements for any reason, here, if City terminates for any reason other than material breach by consultant during the initial two-year term, City must

pay consultant the full amount of subscription fees (\$66,953) agreed to for the entire two year period.

V. FISCAL IMPACT

The cost associated with the 2 year contract with eScribe Software Ltd. is not to exceed the amount of \$75,683. From the immediate cancelation of the Granicus/Legistar contract after approval, the Information Technology division has budget appropriation in the adopted 2023-2024 fiscal year to cover for the first year in the amount \$35,880 and the second year in the amount of \$34,293. If City were to exercise its three one-year options to extend, staff would include the second year cost of the contract in the proposed 2023-2024 fiscal year and do the same for subsequent years - Year 3 \$36,008, Year 4 \$37,808, Year 5 39,698.

Funds have been budgeted for the first payment in FY 2023/24 - General Fund - City Manager - Information Technology Operations - Professional Services, account number 101-50-520-101-6004

VI. EXHIBITS

1. eScribe Contract (pgs. 4 - 43)
2. eScribe Bid Response (pgs. 44 - 163)
3. Bid Register (pg. 164)

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