



**COUNTY OF SAN MATEO**  
Inter-Departmental Correspondence  
Assessor-County Clerk-Recorder



**Date:** March 9, 2016  
**Board Meeting Date:** April 26, 2016  
**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors

**From:** Mark Church, Assessor-County Clerk-Recorder

**Subject:** Agreement with SouthTech Systems, Inc. for eRecording Middleware

**RECOMMENDATION:**

Adopt a resolution authorizing the execution of an agreement with SouthTech Systems, Inc. (STS) for the licensing and maintenance of "Summit Examiner" middleware to be implemented no later than June 30, 2017, at a cost not to exceed \$189,750.

**BACKGROUND:**

The County supported California's Electronic Recording Delivery Act of 2004 (AB 578 Leno, 9/21/04), authorizing County Recorders to use a Certified Electronic Recording Delivery System (ERDS).

To implement ERDS the Recorder uses the SECURE system, co-owned and developed by the counties of Orange, Los Angeles, Riverside, San Diego, and entered into a five-year licensing and maintenance agreement which was renewed through 2019. San Mateo County (SMC) and Orange County agreed to share STS's software development work for the middleware, which has supported versions 1 and 2 of the SECURE system. To maintain performance and compatibility standards, SECURE's administrators mandated that users upgrade to version 3 of SECURE as of December 18, 2015. Due to middleware software compatibility problems, SMC had to temporarily suspend the use of the SECURE system. While the manual recording process has kept pace with submissions, a new and compatible middleware program is needed to continue to use the SECURE system.

**DISCUSSION:**

San Mateo County has negotiated directly with STS to provide a new and compatible middleware program ("Summit Examiner") since SECURE version 3 cannot operate without an upgraded version of a compatible middleware.

Pursuant to a letter of intent to contract, which specifies that all work is contingent on approval by the Board of Supervisors, STS has expedited its development work on behalf of SMC. This Agreement proposes to implement the middleware no later than June 30, 2016, along with other system enhancements. The Agreement provides for a one-time licensing fee (\$165,000), and an annual maintenance fee beginning 30 days after implementation (\$24,750). This middleware product will be bundled with our master maintenance and support agreement with STS, which is scheduled for renewal as of June 30, 2016 (Agreement 13000-15-D004).

A waiver of the request for proposals process is warranted because STS remains uniquely qualified to provide this latest evolution in our operational needs, at a reasonable cost.

The resolution contains the County's standard provisions allowing amendment of the County's fiscal obligations by a maximum of \$25,000 (in aggregate).

This amendment will contribute to the Shared Vision 2025 outcome of collaborative community, by furthering a cooperative multi-county effort to advance the technological prowess, efficiency, speed and convenience of a vital governmental service.

ISD has reviewed and approved the agreement.

County Counsel has reviewed and approved the agreement and resolution as to form.

**PERFORMANCE MEASURE(S):**

Measure	2014 Actual	2015 Actual	2019-20 Projected
Percentage of electronic documents recorded	18%	22%	50%
Total Recorded Documents	140,110	162,987	200,000

**FISCAL IMPACT:**

There will be no net county cost. All costs (NTE \$189,750 will be funded from the Recorder's Electronic Recording Trust Fund account, which is continuously replenished by a statutory e-recording fee.)