



County of San Mateo

Inter-Departmental Correspondence

Department: DISTRICT ATTORNEY

File #: 20-322

Board Meeting Date: 5/19/2020

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: Stephen M. Wagstaffe, District Attorney
Subject: Agreement with LexisNexis

RECOMMENDATION:

Adopt a resolution waiving the Request for Proposals (RFP) Process and authorizing the District Attorney to execute a Subscription Agreement and Subscription Plan Amendment with LexisNexis for the provision of online legal research subscription services for the term of July 1, 2020 through June 30, 2025, for an amount not to exceed \$139,200.

BACKGROUND:

The District Attorney has a long-standing need to ensure the accuracy of legal statutes and case law precedent when preparing briefs. In order for the District Attorney's office to accomplish this, a reliable and up-to-date research database is essential. Since June 2004, the District Attorney has maintained an agreement with LexisNexis to provide database access for all of our attorneys. LexisNexis provides a quick, efficient and accurate means to research questions of law, procedures, and statutes relevant to criminal prosecution, and it is a comprehensive resource for all areas of California law. The cost of this agreement has increased at a rate of 1% per annum.

DISCUSSION:

It is in the best interest of the County to waive the Request for Proposals (RFP) Process as there has been a long standing agreement for a need for continuity to provide this type of online legal research service. LexisNexis provided a quote for five years with a 1% per annum increase in access fees for a total of \$139,200. A request to waive a three-year term was approved by the Contract Compliance Committee to allow for better cost certainty while noting that LexisNexis has been the provider with the capacity to meet the access needs of the District Attorney. As the District Attorney is currently in contract with LexisNexis, there would be no training costs and loss in productivity incurred by renewing. Therefore, it is in the best interest of the County to allow the District Attorney's office to execute a Subscription Agreement and Subscription Plan Amendment with LexisNexis for a period of five years through FY2020-25. Approval of the Resolution, Agreement and Amendment will allow the District Attorney's office to continue to provide its attorneys with the necessary access to an

accurate and comprehensive legal research database for the proper and effective prosecution of criminal cases.

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

FISCAL IMPACT:

The term of the Agreement is July 1, 2020 through June 30, 2025 for a total obligation of \$139,200 and is 100% funded by net county cost. The funds for the first year have been included in the FY 2020-21 Proposed Budget.