

SUSPENSION



COUNTY OF ERIE

CHRISTOPHER L. JACOBS

COUNTY CLERK

October 24, 2012

The Honorable
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

**RE: Erie County Clerk –
Renewal of Software Maintenance Agreement - NewVision**

Dear Honorable Members:

The Erie County Clerk is requesting authorization for Erie County to amend the last year of our software maintenance agreement with NewVision and exercise our right of renewal for an additional five-year term. NewVision is the County Clerk's document management and workflow software provider to record, archive and retrieve official records maintained by the Clerk.

The Clerk's office continues to implement process improvements as we move toward digital record-keeping and away from paper. Software enhancements provided under the amendment to the current agreement will allow Erie County to be one of the first counties in New York State to offer Electronic Recording (eRecording) of Land Records. Additional system upgrades will also allow us to automate the procedure for recording Tax Warrants and Tax Warrant Satisfactions received from New York State Department of Taxation and Finance.

Should your honorable body require further information, representatives from the Clerk's Office will be available to discuss. Thank you for your consideration on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Jacobs', written over a circular stamp or seal.

CHRISTOPHER L. JACOBS
Erie County Clerk

Attachment

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Christopher L. Jacobs, Erie County Clerk
RE: Erie County Clerk – Renewal of Maintenance Agreement - NewVision
Date: October 24, 2012

SUMMARY

Authorization is requested to allow Erie County to amend the last year of the County Clerk's current 5-year software maintenance agreement with NewVision and exercise our right of renewal for an additional five year term. In connection with the extension, Erie County will receive system upgrades including software and services to enable electronic receipt and return of documents connected with Land Records and electronically accept Tax Warrants and Tax Warrant Satisfactions from NYS.

FISCAL IMPLICATIONS

The last year of the current agreement calls for payment of an annual maintenance fee for 2013 in the amount of \$51,000 and is included in the proposed 2013 County Budget. Under the terms of the proposed amendment additional funding for 2013 in the amount of \$7,022 is necessary. The County Clerk will work with the Budget Office to designate funds from unexpended funds or unanticipated revenues in the County Clerk's 2012 Budget. Subsequent years of the extension will be adequately budgeted for in future budget submissions.

REASONS FOR RECOMMENDATION

New York State recently passed legislation that provides for the electronic recording of land records. The Clerk's software provider, NewVision, has developed a software package for eRecording that allows documents to be received, accepted and recorded electronically while eliminating a large part of the time and effort to index and verify. Benefits of eRecording include electronic receipt of data and images, streamlined payment collection through ACH, automatic return of documents, and a comprehensive management module that allows for complete tracking of a document at any point during the electronic process. Once fully implemented, eRecording will result in improved efficiencies and better utilization of limited resources.

Additionally, the Clerk would like to implement the electronic acceptance and filing of Tax Warrants and Tax Warrant Satisfactions from the New York State Department of Taxation and Finance – approximately 25,000 documents annually, thereby reducing the manual labor now required to record and index the documents.

The addition of the above two products requires an upgrade to our current software package and an amendment to our current agreement. If priced separately, outside of a renewal agreement, eRecording would be \$36,935 and Auto Record of Tax Warrants would be \$17,325, plus associated annual maintenance costs.

BACKGROUND INFORMATION

The Registrar Division is responsible for recording, filing and maintaining a central repository of legal documents and records affecting property titles, including land and real estate transactions. Recording of mortgages, deeds, assignments of mortgages and tax warrants account for almost 50% of the activity in the Land Records Division.

NewVision has been the Clerk's software provider for recording these documents since 2005 and provides on-going service to the County under a maintenance agreement. The current agreement expires in 2013 and allows for negotiation of a five-year extension.

In an effort to improve the delivery of services, in the most cost-effective manner, the Clerk has negotiated a maintenance agreement extension with NewVision to provide software upgrades that would allow for the electronic recording of land records and tax warrants. The costs for these upgrade additions have been included at no charge as part of the five-year extension.

CONSEQUENCES OF NEGATIVE ACTION

The County will not be able to amend the current maintenance agreement and implement system upgrades for the electronic recording and transmission of documents.

STEPS FOLLOWING APPROVAL

An amendment to the current agreement and a five-year extension will be drawn up between Erie County and NewVision. System upgrades will be implemented and electronic recording of land records and tax warrants will begin.

**A RESOLUTION SUBMITTED BY:
ERIE COUNTY CLERK**

**RE: Erie County Clerk –
Renewal of Maintenance Agreement-
NewVision**

WHEREAS, the Erie County Clerk Registrar's Division is responsible for recording, filing and maintaining a central repository of legal documents and records affecting property titles, including land and real estate transactions; and

WHEREAS, the County Clerk currently has a maintenance agreement with NewVision for document management and workflow to record, archive and retrieve official records maintained by the Clerk; and

WHEREAS, recording of mortgages, deeds, assignments of mortgages and tax warrants account for almost 50% of the activity in the Land Records Division; and

WHEREAS, changes recently enacted into law by the New York State Legislature now allow for the electronic recording of land records (eRecording); and

WHEREAS, to better improve service delivery the Clerk would also like to implement the electronic acceptance and filing of Tax Warrants and Tax Warrant Satisfactions from the New York State Department of Taxation and Finance – approximately 25,000 documents annually; and

WHEREAS, in order to implement software upgrades to allow for electronic recording of the above documents an amendment and extension to the current maintenance agreement is required, and

WHEREAS, after careful review it has been determined that it is in the best interest of the County to exercise our option to renew the maintenance agreement for five-years and terms favorable to the County have been agreed upon.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into an amendment to the current maintenance agreement with NewVision for 2013 and a related five-year extension; and be it further

RESOLVED, that said amendment will include system upgrades for eRecording and the electronic submission of Tax Warrants and Tax Warrant Satisfactions at no development and implementation cost to the County; and be it further

RESOLVED, that the only additional funds required for the amendment to the last year of the current agreement will be the costs associated with the maintenance of the new upgrades in the amount of \$7,022; and be it further

RESOLVED, that funding for this increase over the 2013 budgeted amount is available in the County Clerk's 2012 budget; and be it further

RESOLVED, that the Budget Director and Comptroller are hereby authorized to make all necessary budget adjustments relative to this funding; and be it further

RESOLVED, that funding for the years 2014-2019 will be included as part of the annual budget process; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the County Clerk, the Director of Budget and Management, the Department of Law, and the County Comptroller.