



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Nora Frimann
City Attorney

SUBJECT: AMENDMENT TO MASTER
SERVICES AGREEMENT WITH
LOGIK SYSTEMS, INC. FOR
HOSTED E-DISCOVERY AND
DOCUMENT MANAGEMENT

DATE: September 2, 2021

RECOMMENDATION

Adopt a resolution authorizing the City Attorney to negotiate and execute a Sixth Amendment to the Master Services Agreement with Logik Systems, Inc. for hosted e-discovery and document management, increasing the maximum amount of compensation by \$45,630, for a total compensation amount of \$366,179, and extending the term beginning September 28, 2017 through March 27, 2022.

OUTCOME

Approval of the amendment would provide the City Attorney's Office with continued access to hosted e-discovery and document management solution services for an additional six months while the Office conducts a competitive procurement process.

BACKGROUND

The City Attorney's Office provides legal services to the City of San José which includes document review and production related to pending litigation matters and responses to requests under the California Public Records Act. In March 2017, the Office issued a Request for Proposal ("RFP") for hosted electronic information, document review and production software services, including but not limited to electronic data processing and discovery, review and analysis, document production, maintenance, customer support, training, and security. Pursuant to the procurement authority under San José Municipal Code Section 4.04.030, the City Attorney selected Logik Systems, Inc. ("Logik") as the most advantageous to the City, and entered into a Master Services Agreement ("Agreement") with Logik to provide hosted e-discovery and document management solution services through their software platform Logikcull that allows the City Attorney's Office to efficiently manage large volumes of documents (e.g., emails, memos, images, videos, and other content). Logikcull provides information governance, preservation,

collection, processing, production, and management consistent with the standard industry EDRM (e-Discovery Reference Model). The original Agreement was for a one-year term beginning on September 28, 2017 and ending on September 27, 2018, with annual renewals. Since 2018, this Agreement has been amended to increase the compensation to provide for additional user licenses, upgrade storage capacity, and pay for overage costs. The original Agreement included 125GB of storage; however, due to expanding data needs the City exceeded the active storage capacity and incurred several overage charges. The City Attorney's Office has also been using Logikcull to manage a litigation matter which currently has more than 140GB of data, for extensive document review, tagging, redaction, and production. To eliminate further overage costs, the Agreement was amended to expand the data storage allotment and to remove user caps for the account. The third and final annual renewal period for the Agreement expires on September 27, 2021.

ANALYSIS

The City Attorney's Office desires to enter into a Sixth Amendment to the Agreement to extend the term for an additional six months, through March 27, 2022, at a compensation amount of \$45,630, for a total maximum compensation of \$366,179. A new RFP process for these services will be conducted prior to the expiration of the Sixth Amendment.

CONCLUSION

Authorizing the City Attorney to negotiate and execute a Sixth Amendment to the Agreement with Logik Systems, Inc. will provide the City Attorney's Office with continued access to hosted e-discovery and document management solution services while a new RFP process is conducted.

CLIMATE SMART SAN JOSE

The recommendation in this memo has no effect on Climate Smart San José energy, water, or mobility goals.

PUBLIC OUTREACH

This memorandum will be posted on the City's Council Agenda website for the September 14, 2021 Council meeting.

September 2, 2021

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Page 3

COORDINATION

This memorandum has been coordinated with the City Manager's Budget Office.

BUDGET REFERENCE

The table below identifies the fund and appropriations proposed to fund the contract recommended as part of this memo.

Fund #	Appn. #	Appn. Name	Current Appn.	Amount for Contract	2021-2022 Proposed Operating Budget Page*	Last Budget Action (Date, Ord. No.)
001	0442	Non-Personal/ Equipment	\$1,554,781	\$45,630	VIII - 20	06/22/2021 Ord. No. 30621

*The 2021-2022 Adopted Operating Budget was approved on June 15, 2021 and adopted on June 22, 2021.

CEQA

Not a Project; File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.

NORA FRIMANN
City Attorney

By



DIANA YUAN
Deputy City Attorney

For questions please contact DIANA YUAN, DEPUTY CITY ATTORNEY, at 408-535-1900.

cc: Jennifer Maguire