

County of Santa Clara
Employee Services Agency
Risk Management
Insurance and Claims

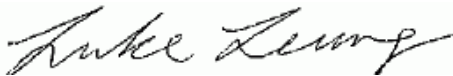


ESA03 062409

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County Clerk-Recorder
Submitted by: Lance Spósito
Director, Risk Management

DATE: June 24, 2009

TO: Board of Supervisors

FROM: 
Luke Leung
Deputy County Executive

SUBJECT: Approve Delegation of Authority Relating to Document Restoration Services for Damaged Clerk - Recorder Books

RECOMMENDED ACTION

Approve delegation of authority to the Deputy County Executive, or designee, to negotiate and execute an agreement with Brown's River Records Preservation Services relating to providing document restoration service in an amount not to exceed \$1,313,000, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on December 31, 2009.

FISCAL IMPLICATIONS

There will be no impact to the General Fund. The County's insurance company, Lexington Insurance Company, will pay the vendor invoices directly for the restoration services. The estimate for restoring water damaged documents is \$1,313,000.

CONTRACT HISTORY

Brown's River has an existing contract that was awarded through a Request for Proposal conducted by Procurement in May 2005. The Scope of Services is for general archival restoration of records for the County Clerk-Recorder. The total value of the current contract is for \$98,623. A separate contract is recommended because of the volume of work required and the specific payment arrangement with the insurance carrier.

REASONS FOR RECOMMENDATION

As a result of water leak that occurred in the west wing, lower level of 70 West Hedding the County Clerk-Recorder must restore a significant volume of historical documents that were affected by the leak. Following the leak the documents were freeze dried and stabilized. Now to bring them back to a useable condition a sophisticated restoration process is required. It is recommended that the Board approve the delegation of authority to contract for these services to restore the damaged documents closer to their original condition.

The books date back as far as 1887 and are protected by California law as sole volumes of historical significance. These books need to be restored by a professional restoration company that has extensive background in treating historical documents. The restoration process includes testing, logging, disassembling, treatment, mending, rebinding, quality check, among other steps to the damaged documents.

The County's property insurance covers the damage to these records. The insurance carrier, Lexington Insurance Company, has agreed to pay the restoration costs directly to the service provider. The estimate for restoring the documents has a not to exceed limit of \$1,313,000 which includes documents that were damaged by the initial flood and those documents damaged subsequently by humidity. The total cost may be less than the \$1,313,000 estimate once the vendor is able to examine and test each document to determine the extent of the water damage.

It is the Department's desire to use Brown's River Records Preservation Services to restore all of the damaged books due to their extensive technical expertise in restoring historical books unique to the recorder industry and because of their vast experience working with our own County Clerk-Recorder, county recorders throughout the state, as well as around the country. In May 2005 Brown's River Records Preservation Services was awarded a contract after a Request for Proposal selection process conducted by the Procurement Department.

BACKGROUND

The County Clerk-Recorder experienced water damage to historical books because of a water main break in the west wing, lower level of 70 West Hedding in August 2007. After the event a number of books were identified as being damaged from contact with the water from the leak. These books were then freeze dried and stabilized. At a later date another group of books were found to be damaged due to the high humidity caused by the water leak. Both groups of books are now in need of restoration.

The water damage to the historical books was extensive and the estimate for restoring these documents is \$1,313,000. The County filed a claim with the County's property insurance company, Lexington Insurance Company, for the water damage to the historical books. Lexington Insurance Company accepted the claim and agreed to pay for the restoration of the water damaged books.

Proper storage of the these record books has always been problematic because of the risk of flood, humidity and fire. The ultimate plan for housing these books is to either build a secure storage facility or retrofit an existing county building, should one become available. The building would be solely dedicated to storage of Clerk-Recorder's records, including books, microfilm and other media. The facility would need to be located away from flood and high seismic activity zones. Currently the Clerk-Recorder states that it meets its mandate for secure offsite storage by contracting with an outside vendor. For the short term, the restored books are to be returned to the Clerk-Recorder's archive area in the

west wing lower level. If space is available the books may be temporarily housed at the County Archive on Senter Road.

CONSEQUENCES OF NEGATIVE ACTION

If the recommended actions are not approved by the Board of Supervisors, the Clerk-Recorder's Office will not have the benefit of using a professional documents restoration company with extensive background and experience working with water damaged documents. The County may incur greater risk and expense if the damaged books deteriorate any further.

STEPS FOLLOWING APPROVAL

Upon the Board of Supervisor's approval, the Clerk of the Board is requested to send notification of the transmittal's completed processing to ESA Risk Management Administration.