

DRAFT

RESOLUTION 20xx-xxx

RESOLUTION AUTHORIZING PROCUREMENT OF FIVE YEARS OF ANNUAL SUBSCRIPTION SERVICES AND SUPPORT FROM LOGIKCULL INC. FOR ELECTRONIC DISCOVERY SYSTEM AND SERVICES FOR USE IN HANDLING PUBLIC RECORDS REQUESTS, LITIGATION DISCOVERY, AND INVESTIGATIONS NOT TO EXCEED \$744,000, FOR A 5-YEAR TOTAL COST OF OWNERSHIP NOT TO EXCEED \$744,000 AND AUTHORIZING ADDITIONAL SUBSCRIPTION AND SUPPORT RENEWAL FOR FUTURE YEARS AT THE EXECUTIVE DIRECTOR'S DISCRETION WITH ANNUAL COSTS NOT TO EXCEED 10% MORE THAN PREVIOUS YEAR COSTS PURSUANT TO BOARD POLICY NO. 110 SECTIONS II.F AND II.U; FY 2018 EXPENDITURES ARE BUDGETED

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the legislature in 1962 pursuant to Harbors and Navigation Code Appendix 1, (Port Act); and

WHEREAS, in April of 2015, the District issued a Request for Proposals (RFP 15-17) for eDiscovery software, at the request of the Office of the District Clerk, Office of the General Counsel, and Human Resources Department, to assist with management of public records requests, litigation discovery requests, and employee investigations; and

WHEREAS, the responses to this RFP were all deemed unacceptable due to cost and the RFP was cancelled and a search for an adequate cost-effective system was conducted; and

WHEREAS, the result was Logikcull, a Software as a Service (SaaS) provider which meets most of the eDiscovery requirements for a reasonable cost; and

WHEREAS, since 2015, the District has been using Logikcull primarily to mitigate the costs of reproducing documents for public records requests and discovery for litigation; and

WHEREAS, the District cost for printing, finding and removing duplicates and redacting documents, and the number of hours spent in these activities has been greatly reduced by employing this service; and

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WHEREAS, to ensure continued functionality for the Office of the District Clerk and the Office of the General Counsel, as well as general overhead efficiency gains, staff recommends the Board authorize, consistent with BPC Policy No. 110 Section II.F, procurement of 5 years of continued licensing, maintenance, and support for the Logikcull electronic discovery system at a cost not to exceed \$744,000; and

WHEREAS, the Board would be authorizing the Executive Director, in her discretion, to continue licensing, maintenance, and support for the Logikcull system beyond the 5 years for the life of the product, as needed by the District, with annual costs not to exceed 10% more than previous year costs, pursuant to BPC Policy No. 110 Section II.U, and will have approved a 5-year total cost of ownership.

NOW, THEREFORE, BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District, as follows:

That the Executive Director or her designated representative is hereby authorized on behalf of the San Diego Unified Port District to procure five years of annual subscription services and support from Logikcull Inc. for electronic discovery system and services for use in handling public records requests, litigation discovery, and investigations not to exceed \$744,000, for a 5-year total cost of ownership not to exceed \$744,000 and authorizing additional subscription and support renewal for future years at the Executive Director's discretion with annual costs not to exceed 10% more than previous year costs pursuant to Board Policy No. 110 Sections II.F and II.U.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL

By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 6th day of February, 2018, by the following vote: