

# Top Ten List for Better Contracts

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Establishing your own Electronic Court Records  
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# Number 1

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Do not sign the vendor's  
form of contract.

## Number 2

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Do not sign a contract that contains language such as:

**“The schedule will be completed after the contract is signed.”** or

**“The design plan will be developed after the contract is signed.”**

# Number 3

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Be wary of

- ❑ **"standard pricing"**
- ❑ **"hourly pricing at the then current rate"**
- ❑ anything at a **"time and materials"** rate.



# Number 4

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Negotiate the price for the longest term possible from the date the contract is signed. You can do this by either creating a chart that identifies the price for the term of the contract or capping price increases to no more than \_\_\_\_\_% per year.



# Number 5

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Make sure you comply with all requirements for contracts that are required by your agency:

- Non discrimination
- Board of Ethics
- Insurance forms



# Number 6

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Be wary of letters that require that you "**Sign Here**" in order to agree to the assignment of the contract. There are many things that need to be done if a contract is assigned to a new contractor whether through an acquisition, a merger or a transfer of ownership.



# Number 7

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Do not start the warranty when the technology is "**delivered**". It may be weeks before you even open the box and your warranty clock is already ticking.





# Number 8

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Always make sure that you have ownership of items such as reports, drawings, maps and other works prepared specifically for you. There are some exceptions.



# Number 9

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Make sure you understand the licensing schemes and that you are fully licensed.

- Seat Licenses
- Enterprise Licenses
- Named User
- Something no one has ever heard of



# Number 10

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Do not sign confidentiality agreements or agree to keep things confidential that are in conflict with your public disclosure laws.

# THANK YOU

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