

36483

FIRST AMENDMENT
TO
LICENSE AND SUPPORT AGREEMENT

This First Amendment ("First Amendment") is made and entered into as of December 4, 2020 ("First Amendment Effective Date"), by and between ACCELA, INC. ("ACCELA") and City of Long Beach, California ("Customer"), and amends that certain License and Support Agreement, dated June 27, 2019 between ACCELA and Customer ("Agreement").

WHEREAS, ACCELA and Customer wish to amend the Agreement, in accordance with the terms and conditions of this First Amendment;

WHEREAS, the capitalized terms not otherwise defined herein will have the meanings ascribed to them in the Agreement; and

WHEREAS, ACCELA and Customer agree that, with the exception of any agreements that are presently active under the Agreement, which remain in full force, this First Amendment modifies the Agreement between the parties commencing as of the First Amendment Effective Date.

NOW THEREFORE, in consideration of the mutual covenants and undertakings contained herein, and subject to the terms and conditions set forth herein, the parties hereby agree as follows:

1. Appendix B, "Dates and Term," shall be amended as follows:

^{alt}
ds
alt
This Agreement shall have an initial term of ~~three~~ ^{four} (4) years, January 1, 2018 to December 31, ~~2020-2021~~ ("Initial Term") with an optional year of January 1, 2022 to December 31, 2022.

2. All other language in Appendix B shall remain in full force.

IN WITNESS WHEREOF, the parties hereto have executed, or caused their duly authorized representatives to execute, this First Amendment as of the First Amendment Effective Date.

ACCELA, INC.
DocuSigned by:
Signature: Aaron Haggarty
A04498D928344D8...
Name: Aaron Haggarty
Date: 1/27/2021

CITY OF LONG BEACH, CA
Signature: Linda F. Tatum
Name: LINDA F. TATUM
Date: 1/21/2021

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER

Accela, Inc. | 2633 Camino Ramon, San Ramon, CA 94583 | (925) 555-5555
Confidential

APPROVED AS TO FORM
January 14, 2021
CHARLES PARKIN, City Attorney
By Taylor M. Anderson
TAYLOR M. ANDERSON
DEPUTY CITY ATTORNEY



2633 Camino Ramon, Suite 500
San Ramon, CA 94583

Proposed by: Becky O'Brien
Contact Phone: (925) 359-3334
Contact Email: robrien@accela.com
Quote ID: Q-20824
Valid Through: 12/31/2020
Currency: USD

RENEWAL ORDER FORM

Address Information

Bill To:

City of Long Beach
Bureau of Environmental Health
2525 Grand Avenue
Long Beach, California 90815
United States

Ship To:

City of Long Beach
Bureau of Environmental Health
2525 Grand Avenue
Long Beach, California 90815
United States

Billing Contact: Carl Vos

Billing Phone: (562) 436-3645

Billing Email: carl.vos@longbeach.gov

Services

Services	Start Date	End Date	Term (Mths)	Unit Price	Quantity	Total Price
EnvisionConnect License and Support Fee	01/01/2021	12/31/2021	12	\$1,489.05	17.00	\$25,313.82
EnvisionConnect Remote License and Support Fee	01/01/2021	12/31/2021	12	\$744.52	17.00	\$12,656.91
CERS EDT License, Maintenance and Support Fee	01/01/2021	12/31/2021	12	\$283.63	9.00	\$2,552.66
Total						\$40,523.39

Services OPTIONAL Year 2	Start Date	End Date	Term (months)	Unit Price	Quantity	Total Price
EnvisionConnect License and Support Fee	01/01/2022	12/31/2022	12	\$1,563.50	17.00	\$26,579.51
EnvisionConnect Remote License and Support Fee	01/01/2022	12/31/2022	12	\$781.75	17.00	\$13,289.76
CERS EDT License, Maintenance and Support Fee	01/01/2022	12/31/2022	12	\$297.81	9.00	\$2,680.29
Total						\$42,549.56

Renewal Terms / Information

General Information	
Governing Agreement(s)	This Order Form will be governed by the applicable terms and conditions. If those terms and conditions are non-existent, have expired or have otherwise been terminated, the following terms will govern as applicable, based on the Customer's purchase: www.accela.com/terms .

Order Terms	
Order Start Date	Unless otherwise specified in the Special Order Terms: <ul style="list-style-type: none"> • Software Licenses & Subscriptions start on the date of delivery by Accela; • Hosting and Support start on Accela's delivery of the software hosted and/or supported;
Order Duration	Unless otherwise specified in the Special Order Terms: <ul style="list-style-type: none"> • Subscriptions continue from the Order Start Date through the number of months listed in this Order Form (or if not listed, twelve (12) months). Thereafter Subscriptions automatically renew annually as calculated from Order Start Date of Customer's first Subscription purchase. • Any Software Licenses or Hardware are one-time, non-refundable purchases. • Hosting and Support continue from the Order Start Date through the number of months listed in this Order Form (or if not listed, twelve (12) months). • Professional Services continue for the duration as outlined in the applicable Statement of Work, Exhibit or the Governing Agreement, as applicable.
Special Order Terms	This Order Form replaces all previous order forms for the terms listed above and will govern the Software, Maintenance, and/or Services items listed on Page 2 of this Order Form. <ul style="list-style-type: none"> • In the event of an inconsistency between this Order Form, any governing agreement, purchase order, or invoice, the Order Form shall govern as it pertains to this transaction. • For Software Licenses, Accela may terminate this Order Form in the event the Software is phased out across Accela's customer base. In such event, Accela will provide Customer sufficient advance notice and the parties will mutually agree to a migration plan for converting Customer to another Accela generally-available offering with comparable functionality.

Payment Terms	
Currency	USD
Invoice Date	Unless otherwise stated in the Special Payment Terms, Invoice for the Grand Total \$ above will be issued on the Order Start Date.
Payment Due Date	Unless otherwise stated in the Special Payment Terms or the Governing Agreement(s), all payments are due on the Invoice Date and payable net 30 days.
Special Payment Terms	None unless otherwise specified in this section.
Purchase Order	If Customer requires PO number on invoices, it must be provided to the right and Customer must provide copy of the PO prior to invoice issuance. If no PO number provided prior to invoice issuance date, invoices issued on this Order Form will be valid without a PO reference.
	PO#

Accele	Customer
By: <u>DocuSigned by:</u> <u>Aaron Haggarty</u> (Signature) A04499D928344D8...	By: <u>Sendee J. Jaturumjoe</u> (Signature)
<u>Aaron Haggarty</u> (Print Name)	<u>Thomas B. Madica</u> (Print Name) EXECUTIVE TO SECTION 301 OF THE CITY CHARTER
Its: <u>Chief Legal Officer</u> (Title)	Its: <u>City Manager</u> (Title)
Dated: <u>1/27/2021</u> (Month, Day, Year)	Dated: <u>1/19/2021</u> (Month, Day, Year)

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER

APPROVED AS TO FORM
January 14, 2021
CHARLES PARKIN, City Attorney
By [Signature]
TAYLOR M. ANDERSON
DEPUTY CITY ATTORNEY