

1 FIRST AMENDMENT TO AGREEMENT NO. 35877

2 **35877**

3 THIS FIRST AMENDMENT TO AGREEMENT NO. 35877 is made and
4 entered, in duplicate, as of August 12, 2021, for reference purposes only, pursuant to a
5 minute order adopted by the City Council of the City of Long Beach at its meeting on April
6 6, 2021, by and between YARDI SYSTEMS, INC., a California corporation ("Contractor"),
7 with a place of business at 430 South Fairview Avenue, Goleta, California 93117, and the
8 CITY OF LONG BEACH, a municipal corporation ("City").

9 WHEREAS, City and Contractor (the "Parties") entered into Agreement No.
10 35877 (the "Agreement") whereby Contractor agreed to provide emergency rental
11 assistance in response to the COVID-19 Pandemic, specifically, software, payment
12 processing services, customer support services, and case management services; and

13 WHEREAS, the Parties desire to update the fee schedule to better align with
14 the scope of work;

15 NOW, THEREFORE, in consideration of the mutual terms, covenants, and
16 conditions herein contained, the Parties agree as follows:

17 1. The Rates contained in Exhibit "B" to the Agreement are hereby
18 amended and replaced by Exhibit "B-1", attached hereto and incorporated herein.

19 2. Except as expressly modified herein, all of the terms and conditions
20 contained in Agreement No. 35877 are ratified and confirmed and shall remain in full force
21 and effect.

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OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Lona Beach, CA 90802-4664

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IN WITNESS WHEREOF, the Parties have caused this document to be duly executed with all formalities required by law as of the date first stated above.

YARDI SYSTEMS, INC., a California corporation

August 12th, 2021

By [Signature]
Name Michael Remarcento
Title Director

August 12, 2021

By [Signature]
Name Arnold Brier
Title Senior Vice President

"Contractor"

CITY OF LONG BEACH, a municipal corporation

August 17, 2021

By [Signature]
Name Sinda F. Jabron
Title City Manager

**EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER**

"City"

This First Amendment to Agreement No. 35877 is approved as to form on

August 16, 2021.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

EXHIBIT "B-1"

Rates or Charges

EXHIBIT 1

Schedule A

Rent Relief Fee Schedule (ERA 1)

Quarterly Fees				
License	Unit of Measure (UOM)	Count	\$/UOM	Quarterly Fee
Yardi Rent Relief	each	1	\$418,222.28	\$418,222.28
Yardi Rent Relief Software (Application and Payments)				Included
Yardi Rent Relief (Case Management)				Included
Yardi Rent Relief (Customer Service)				Included
				Total <u>\$418,222.28</u>
One-Time Fees				
Service	UOM	Count	\$/UOM	One-Time Fee
Yardi Rent Relief- Configuration, Training, and Support	each	1	\$30,000.00	\$30,000.00
				Total <u>\$30,000.00</u>
One-Time Credit				
Credit				Credit
Total Prorated Credit for Fees Previously Paid for One-Time Setup Fee				<u>(\$30,000.00)</u>
Total Fees Due				
Quarterly Fee for the Period May 1, 2021 to July 31, 2021				\$418,222.28
One-Time Fee				\$30,000.00
Prorated Credit				<u>(\$30,000.00)</u>
Sub-Total				\$418,222.28
Sales Tax				as applicable
				Total Due <u>\$418,222.28</u>

Additional Terms

PAYMENT TERMS (excluding applicable taxes): 100% of the Total Due is due 15 days from the execution date of this Addendum. Commencing on November 1, 2021, and each 3 month period thereafter, Yardi shall invoice Client at a rate of 7.5% of the funds disbursed for ERA 1 for the preceding 3 month period. The fees for this Schedule A shall not exceed \$1,507,957.00.

The Rent Relief fees in this Schedule A Fee Schedule are for the approximately \$30,150,000.00 of funds initially allocated to Client, which consists of \$13,750,000.00 in federal funding for the Emergency Rental Assistance Program as part of the Consolidated Appropriation Act of 2020 (ERA 1) and \$16,400,000.00 in state funding for the Community Development Block Grant. If additional funds are allocated, then additional fees will apply as mutually agreed between the parties.