

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

THIRD AMENDMENT TO AGREEMENT NO. 35877

35877

THIS THIRD AMENDMENT TO AGREEMENT NO. 35877 is made and entered, in duplicate, as of May 27, 2022, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on May 24, 2022, by and between YARDI SYSTEMS, INC., a California corporation (“Contractor”), with a place of business at 430 South Fairview Avenue, Goleta, California 93117, and the CITY OF LONG BEACH, a municipal corporation (“City”).

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

WHEREAS, the Parties entered into a First Amendment to the Agreement to update the fee schedule to better align with the scope of work; and

WHEREAS, the City had been awarded an additional \$34,304,643 in combined federal and State funding, known as ERAP2; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to distribute the funds from ERAP1 and ERAP2, extend the term to September 30, 2022, attach an additional rate/fee schedule for ERAP2, and attach a revised program guideline workplan; and

WHEREAS, the City anticipates an additional award of \$13,033,840 in direct assistance in State and Federal funding; and

WHEREAS, the Parties desire to increase the contract amount to incorporate any additional funds received for the Emergency Rental Assistance Program by continuing the terms of the existing contract until all funds are expended, but no later than September 30, 2023, and attach an updated fee schedule;


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

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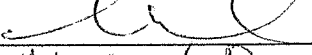
IN WITNESS WHEREOF, the Parties have caused this document to be duly executed with all formalities required by law as of the date first stated above.

YARDI SYSTEMS, INC., a California corporation

_____, 2022

By 
Name Arnold Brier
Title Senior Vice President

_____, 2022

By 
Name Michael R. Kowalski
Title Senior Director

"Contractor"

CITY OF LONG BEACH, a municipal corporation

June 29, 2022

By Sonda J. Jakim
City Manager

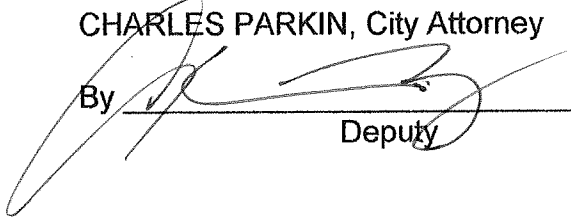
"City"

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

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

June 28, 2022.

CHARLES PARKIN, City Attorney

By 
Deputy

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EXHIBIT "B-3"

EXHIBIT 1

Schedule A-3

Rent Relief Fee Schedule (ERA 2 Additional Funding)

The "Rent Relief ERA 2 Additional Funding Anniversary Date" for Schedule A-3 (Rent Relief Fee Schedule (ERA 2 Additional Funding)) shall be September 30, 2023 and each September 30th thereafter.

License	Annual Fees			Annual Fee
	Unit of Measure (UOM)	Count	\$/UOM	
Yardi Rent Relief	each	1	\$130,000.00	\$130,000.00
Yardi Rent Relief Software (Application and Payments)				Included
Yardi Rent Relief (Case Management)				Included
Yardi Rent Relief (Customer Service)				Included
Total				\$130,000.00

License	Quarterly Fees			Quarterly Fee
	UOM	Count	\$/UOM	
Yardi Rent Relief	each	1	12% of funds disbursed	TBD
Yardi Rent Relief Software (Application and Payments)				Included
Yardi Rent Relief (Case Management)				Included
Yardi Rent Relief (Customer Service)				Included
Total				TBD

Total Fees Due

Annual Fee	\$130,000.00
Quarterly Fee	TBD <u>billed quarterly</u>
Sub-Total	\$130,000.00
Sales Tax	as applicable
Total Due	\$130,000.00

Additional Terms

PAYMENT TERMS (excluding applicable taxes):

Total Due. \$32,500.00 is due on or before October 1, 2022; \$32,500.00 due on or before January 1, 2023; \$32,500.00 due on or before April 1, 2023; \$32,500.00 due on or before July 1, 2023.

Quarterly Fees. Commencing on October 1, 2022, and each 3-month period thereafter, Yardi shall invoice Client a Quarterly Fee at a rate of 12% of the funds disbursed for ERA 2 for the preceding 3-month period.

The total fees for this Schedule A-3 shall not exceed \$1,694,399.20.

The Rent Relief fees in this Schedule A-3 Fee Schedule are for the approximately \$13,033,840.00 of additional funds allocated to Client for the Emergency Rental Assistance Program as part of the American Rescue Plan Act of 2021 (ERA2). If additional funds are allocated, then additional fees will apply as mutually agreed between the parties.