

1 SECOND AMENDMENT TO AGREEMENT NO. 31041

2 **31041**

3 THIS SECOND AMENDMENT is made and entered, in duplicate, as of  
4 June 18, 2010, for reference purposes only, pursuant to a minute order adopted by the  
5 City Council of the City of Long Beach at its meeting on January 20, 2009, by and  
6 between SIMPLER SYSTEMS, INC., a California corporation, with a place of business at  
7 210 West Cota Street, Santa Barbara, CA 93101 ("Consultant"), and the CITY OF LONG  
8 BEACH, a municipal corporation ("City").

9 WHEREAS, the parties executed Agreement No. 31041 in October of 2008,  
10 wherein Consultant agreed to perform specialized services; and

11 WHEREAS, the parties executed the First Amendment in August 2009 to  
12 extend the term for an additional year; and

13 WHEREAS, now the parties desire to extend the term again for an  
14 additional year and amend the scope of work;

15 NOW, THEREFORE, in consideration of the mutual terms, covenants, and  
16 conditions in this Agreement, the parties agree as follows:

17 1. Section 1 of Agreement No. 31041 is hereby amended and deleted  
18 in its entirety to read as follows:

19 "1. SCOPE OF WORK OR SERVICES.

20 A. Consultant shall furnish specialized services more particularly  
21 described in Exhibit "C", attached to this Agreement and incorporated by this  
22 reference, in accordance with the standards of the profession, and City shall pay  
23 for these services in the manner described below, not to exceed One Hundred and  
24 Fifty Thousand Dollars (\$150,000.00) at the rates or charges shown in Exhibit "C".

25 B. Consultant may select the time and place of performance for  
26 these services provided, however, that access to City documents, records, and the  
27 like, if needed by Consultant, shall be available only during City's normal business  
28 hours and provided that milestones for performance, if any, are met.

1 C. Consultant has requested to receive regular payments. City  
2 shall pay Consultant in due course following receipt from Consultant and approval  
3 by City of invoices showing the services or task performed, the time expended (if  
4 billing is hourly), and the name of the Project. Consultant shall certify on the  
5 invoices that Consultant has performed the services in full conformance with this  
6 Agreement and is entitled to receive payment.

7 D. Consultant represents that Consultant has obtained all  
8 necessary information on conditions and circumstances that may affect its  
9 performance and has conducted site visits, if necessary.

10 E. CAUTION: Consultant shall not begin work until this  
11 Agreement has been signed by both parties and until Consultant's evidence of  
12 insurance has been delivered to and approved by the City."

13 2. Section 2 of Agreement No. 31041 is hereby amended and deleted  
14 in its entirety to read as follows:

15 "2. TERM. The term of this Agreement shall commence on October 1,  
16 2008, and shall terminate on September 30, 2011, unless terminated earlier, as provided  
17 in this Agreement."

18 3. Except as expressly amended herein, all of the terms, covenants and  
19 conditions of Agreement No. 31041, as amended and to the extent not contrary to this  
20 Second Amendment, shall remain unchanged and in full force and effect.

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


3 SIMPLER SYSTEMS, Inc., a California  
4 Corporation

5 October 14, 2010

6 By   
7 Brian Fahnestock

8 Vice President

9 October 19, 2010

10 By 

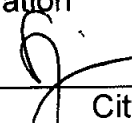
11 Rick Schaffer

12 President

13 "Consultant"

14 CITY OF LONG BEACH, a municipal  
15 corporation

16 11-16, 2010

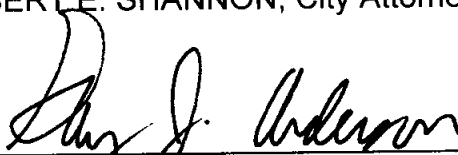
17 By   
18 Assistant City Manager  
19 City Manager

20 EXECUTED PURSUANT  
21 TO SECTION 301 OF  
22 THE CITY CHARTER.

23 "City"

24 This Second Amendment to Agreement No. 31041 is approved as to form  
25 on November 9, 2010.

26 ROBERT E. SHANNON, City Attorney

27 By   
28 Deputy

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

Exhibit C



# PROPOSAL

*for the City of Long Beach*

August 25, 2010

210 West Cota Street  
Santa Barbara, CA 93101  
OFFICE 805.882.1848  
[simplersystems.com](http://simplersystems.com)

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## Introduction

In July 2008, Simpler Systems implemented SimplerSuite, a web-based reporting system, at the City of Long Beach (the City) using data from the FAMIS financial system. The implementation went well and the system is currently being used by staff throughout the various City departments. Acceptance of this new technology has been very high. Data from FAMIS is now more readily available for analysis than it has been in the past.

During the fiscal year October 2008 through September 2009, the City extended the implementation of SimplerSuite to include data from other sources such as the BPREP budgeting module and the Labor Master files, and expanded the use of SimplerSuite to provide even greater access to FAMIS data.

During the fiscal year, October 2009 through September 2010, the City extended the reporting reach to include selected data from the ADPICS module in FAMIS as well as make other modifications to the reporting functionality.

## Proposal

Simpler Systems and Cardon Solutions, LLC (Cardon) propose to provide the following in the next fiscal year:

- (1) Provide access to Simpler Suite to an unlimited number of City users, and provide maintenance services for Simpler Suite.
- (2) Continue to develop reporting for ADPICS data as directed by City staff.
- (3) Develop reporting for fixed assets data as directed by City staff.
- (4) Expand the use of SimplerSuite. This could include the modification of existing subject areas and the development of new subject areas. Expansion areas will be determined by the City in consultation with Simpler Systems and Cardon.
- (5) Provide training to City staff on the Simpler Script programming language.

## Five Percent Discount

In July 2009, the City requested that vendors, including Simpler Systems consider a five (5%) discount for the next fiscal year in recognition of the current financial situation of the City. Consequently, Simpler Systems reduced subject area license and user license charges for SimplerSuite by 5% for the 2009-2010 fiscal year and the 2010-2011 fiscal year.

**Project Planning & Management**

Our team recognizes the importance of project planning and management in any successful software project. At the start of the fiscal year, we will conduct a planning session with the City to define a high-level project scope, expected priorities, and estimated timing of the services to be provided.

**Analysis**

For each proposed modification / new subject area, the Simpler Systems / Cardon team will:

- Conduct review of the City's reporting requirements
- Perform a fit/gap analysis, and identify changes required to meet the City's needs
- Work with the City to prioritize changes and develop final scope
- Document necessary changes for input into the software development and configuration phase
- Identify tables and data to be extracted to support reporting and inquiry

**Development**

During this phase, the changes and customizations identified during the analysis phase will be incorporated into SimplerSuite.

Simpler Systems and Cardon will perform the development work with primarily remote resources.

**Delivery**

Once SimplerSuite has been modified to incorporate the City's reporting and inquiry needs, the software will be delivered to the City. During this phase, our team will:

- Perform the data synchronization
- Verify the integrity of data in SimplerSuite
- Test all delivered functionality against the City's requirements

Cardon will perform a majority of these tasks, and anticipates using a combination of onsite and offsite resources.

**Training**

Simpler Systems and Cardon will provide training to City staff on an hourly basis as requested by the City.

### **City Responsibilities**

Our proposal assumes that the City will provide the following on this project:

- A designated project manager that will be the primary point of contact, and who will have the authority to make decisions regarding all aspects of the project
- Sufficient server hardware and Microsoft Windows and SQL Server licenses.



## PRICING

**SimplerSuite**

<u>Item</u>	<u>Frequency</u>	<u>Price</u>
<b>ADPICS - Implementation Services</b>		<b>\$20,000*</b>
<b>Fixed Assets - Implementation Services</b>		<b>\$10,000*</b>
<b>Fixed Assets Subject Area License</b>	<b>One-time</b>	<b>\$14,250**</b>
<b>SimplerSuite User Licenses</b> Includes <b>unlimited</b> named-user licenses for SimplerSuite, technical support, and version upgrades, enhancements and bug fixes for server software.	<b>Monthly</b>	<b>\$4,750**</b>
<b>SimplerSuite New Subject Area Licenses</b> Includes SimplerSuite Present, Compose, Select and Synchronize server software and API license		
• Each Subject Area or Server License	<b>One-time</b>	<b>\$14,250 to \$33,250**</b>
<b>Professional Services related to SimplerSuite Enhancements and New Subject Areas or Servers</b> Planning, Analysis, Development, and Delivery services will be provided at a rate of \$150 per hour plus expenses which will not exceed the City's per diem rate.	<b>Hourly</b>	<b>\$150</b>

\* These are estimates only; implementation services will be billed on an hourly basis for actual hours worked at a rate of \$150 per hour plus expenses which will not exceed the City's per diem rate.

\*\* Subject Area licenses and user licenses have been discounted 5% for FY 2010-2011.

## PRICING

**Pricing Summary**

In summary, we propose to provide the following software/services in FY2010-2011:

<u>FY2009 Summary</u>	<u>Estimated Price</u>
ADPICS Implementation Services	\$20,000
Fixed Assets Implementation Services	10,000
Fixed Assets Subject Area License	14,250
SimplerSuite User Licenses - 12 Months	57,000
New Subject Areas / Enhancements	48,750
<b>Total</b>	<b>\$150,000</b>

Professional Services fees will be billed on a time and materials basis. It is estimated that some of the services will be provided onsite at the City, and some services will be provided remotely. Simpler Systems and Cardon will provide Professional Services at a rate of \$150/hour plus expenses which will not exceed the City's per diem rate.

Simpler Systems will provide monthly invoices for expenses and actual hours worked to deliver the services.

## Company

Simpler Systems is a developer and publisher of high performance software that is easy to use. We have diverse skill sets in a variety of markets. We incorporated in 1998 with the vision of creating simple and elegant technology for business problems. We have implemented many applications for local governments, K-12 schools, and higher education. Our systems are simple to use, easy to implement and scale to any size organization. Our Simpler Suite combines financial experience with extensive software engineering in the interest of elegant, simple, and powerful software.

## Executive Team

### **Rick Schaffer, President and Chief Technology Officer**

Rick is widely recognized as a leading architect and software engineer. He has been a developer of enterprise software for over 20 years. Rick has designed and implemented web-based and client/server systems for financial accounting, budgeting, and payroll departments. He has led a variety of projects for both commercial clientele and government agencies. Rick is known for his ability to understand and solve business process problems with simple yet powerful applications. Rick earned a bachelor's degree in Business Economics at the University of California, Santa Barbara and attended Rensselaer Polytechnic Institute.

### **Brian Fahnestock, Vice President, Business Development**

Brian has been an executive in several large organizations, and brings extensive skills in project management, sales, and marketing. Prior to joining Simpler Systems, Brian was the Chief Business Officer and Vice President of Santa Barbara City College. Brian received a bachelor's degree from the University of Illinois and earned a master's degree at the Navy Postgraduate School in Monterey, California. Brian is also a member of the Board of Directors for the Santa Barbara Metropolitan Transit District.

### **Barry Taugher, Vice President, Partners**

Barry has over 20 years in information technology. He has a broad background in marketing, software development, channel management, and business development. He has been successful at all levels of the industry, from start-ups to the Fortune 200. Mr. Taugher was most recently Vice President of National Marketing for Novacoast, an IT professional services firm, where he directed expansion from a regional firm to the delivery of professional services nationally. Barry has a bachelor's degree in Political Science from the University of California, Santa Barbara.

**Company**

Cardon Solutions, LLC provides services to the public sector related to the operation of financial management systems and ERP systems.

**Executive Team****Caryn Jenney, Manager**

Caryn has over 18 years of public-sector experience, having served in a variety of technical roles at consulting firms such as KPMG Consulting, Tier Technologies, and Affinity Source. Ms. Jenney has extensive experience in management and technology consulting, QA and data center management, product support, system integration, mainframe systems programming, and application development. Caryn has participated on projects and/or supported the City's financial management system for over ten years. Ms. Jenney earned a B.S. in Management Science from Virginia Polytechnic Institute and State University.

**Donna Wukasch, Manager**

Donna brings 16 years of experience in the public sector, comprised of four years in the Consulting and Budget Departments of a large county government, and eleven years with IT consulting companies such as KPMG Consulting, Tier Technologies, and Affinity Source. Her experience includes project management, application support center management, product development and management, management consulting, system integration, and training. Donna has participated on projects and/or supported the City's financial management system for approximately eight years. Ms. Wukasch attended Purdue University, earning a B.S. in Chemistry and a M.S. in Industrial Administration.