ITEM NO. 7

STAFF REPORT

CITY OF OCEANSIDE

DATE: March 27, 2013

TO: Honorable Mayor and City Councilmembers

FROM: Financial Services Department

SUBJECT: **AMENDMENT 5 WITH CRW SYSTEMS, INC. (CRW) OF SAN DIEGO IN THE AMOUNT OF $12,917 FOR ADDITIONAL USER LICENSES AND CREATION OF A FATS, OILS AND GREASE (FOG) PERMIT PROGRAM**

SYNOPSIS

Staff recommends that the City Council approve Amendment 5 in the amount of $12,917 to the Installation and Use Software Agreement with CRW Systems, Inc. (CRW) of San Diego for additional user licenses, prorated maintenance on the licenses and creation of a fats, oils and grease (FOG) permit program; and authorize the City Manager to execute the amendment.

BACKGROUND

On February 18, 2009, the City Council approved a five-year Installation and Use Software Agreement with CRW Systems, Inc. (CRW) of San Diego in the amount of $203,500 for the purchase of a Permit and Code Enforcement Tracking System to be used by Development Services, Fire Prevention, Water Utilities, and Code Enforcement.

On January 17, 2007, City Council adopted regulations on commercial kitchen grease disposal which required, in part, locations with a commercial kitchen to obtain a disposal permit. The regulations stated that two years after adoption of the regulations, a fee would be charged for the permit. On December 19, 2012, City Council adopted a fats, oils and grease (FOG) permit fee of $147.

ANALYSIS

At the time of the LicenseTRAK module purchase, the City did not purchase any additional user licenses. The agreement with CRW is a concurrent licensing agreement meaning that currently up to 41 users can be in the system at the same time. Since many staff members are out in the field, the City rarely reached the 41 concurrent user limit. With the addition of the LicenseTRAK module, Finance staff is working in the system throughout the day on a regular basis. Recently City staff is finding that they are unable to access the system at critical periods during the business day because the maximum number of users has been reached. To proceed with time sensitive processes, such as taking a payment, users are often administratively removed from the

system. This delays the time sensitive processes and can unexpectedly interrupt the work of the staff member removed from the system.

By purchasing an additional block of 5 user licenses, City staff will be able to perform duties as needed without delays and/or interruptions.

With the implementation of a fee for the FOG permits, the City wishes to automate the permit process. It was determined that the system best suited to maintain the FOG permit program was the business licensing system. This system can track the businesses that are required to have a permit, charge the fee on new and renewal business license applications, and provide for Water Department review prior to issuing a business license. The minimal one-time charge of $2,250 will be quickly recouped by eliminating staff time spent on manually tracking this permit program.

FISCAL IMPACT

The cost of Amendment 5 is $12,917. The City will be purchasing 5 users licenses at $2,000 each for a total of $10,000. Maintenance for all 5 licenses prorated from 3/31/13-7/31/13 is $667. The $10,667 for the user licenses will be funded by utilization of the Oracle Phase 5 contingency amount budgeted in account 200010101.5704. Ongoing annual maintenance for the licenses in the amount of $2,000 will be budgeted within the Finance Department budget.

The cost for creation of the FOG permit program is $2,250 and will be funded from existing budget in the Water Utilities Department's Sewer Fund (721) account 800806721.5305.

COMMISSION/COMMITTEE REPORT

Does not apply.

CITY ATTORNEY'S ANALYSIS

The referenced document has been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff recommends that the City Council approve Amendment 5 in the amount of $12,917 to the Installation and Use Software Agreement with CRW Systems, Inc. (CRW) of San Diego for additional user licenses, prorated maintenance on the licenses and creation of a fats, oils and grease (FOG) permit program; and authorize the City Manager to execute the amendment.

PREPARED BY:

Sheri Brown
Financial Services Division Manager

SUBMITTED BY:

Peter A. Weiss
City Manager

REVIEWED BY:

Michelle Skaggs-Lawrence, Deputy City Manager
Teri Ferro, Financial Services Director
George Buell, Director of Development Services
Cari Dale, Water Utilities Director

Attachments: Amendment No. 5

CITY OF OCEANSIDE
AMENDMENT 5 TO
PROFESSIONAL SERVICES AGREEMENT

PROJECT: USER LICENSES AND COMMERCIAL RESTAURANT BUSINESS TYPE

THIS AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT (hereinafter "Amendment"), dated March 27, 2013 for identification purposes, is made and entered into by and between the CITY OF OCEANSIDE, a municipal corporation, hereinafter designated as "CITY", and CRW Systems, Inc. of San Diego, California hereinafter designated as "CONSULTANT."

RECITALS

WHEREAS, City and Consultant are the parties to that certain Professional Services Agreement dated February 18, 2009, hereinafter referred to as the "Agreement", wherein Consultant agreed to provide certain services to the City as set forth therein;

AMENDMENT

NOW, THEREFORE, as set forth herein, the parties hereto do mutually agree that the Agreement shall be amended as follows:

1. Scope of Work will include the following key tasks as identified on the proposal dated February 6, 2013 and February 25, 2013 (attached):
    a. Addition of five (5) user licenses and maintenance support to 7/31/13.
    b. Addition of commercial restaurant business type with FOG permit fees.
2. Compensation for this scope of work shall not exceed $12,917. Ongoing annual software support & maintenance for the user licenses is $2,000.
3. Except as expressly set forth in this Amendment, the Agreement shall remain in full force and effect and is hereby ratified and reaffirmed.

USER LICENSES

SIGNATURES. The individuals executing this Amendment represent and warrant that they have the right, power, legal capacity and authority to enter into and to execute this Amendment on behalf of the respective legal entities of the CONSULTANT and the CITY.

IN WITNESS WHEREOF the parties hereto being duly authorized on behalf of their respective entities to execute this Amendment, do hereby agree to the covenants contained in the Agreement, including this Amendment and have caused this Amendment to be executed by setting hereunto their signatures on the dates set forth below.

CRW SYSTEMS, INC.

By: Vanie Bradshaw
Name/Title

Date: 3/5/13

Vanie Bradshaw
VP, Client Services

Employer ID No.

CITY OF OCEANSIDE

By: _____
Peter Weiss, City Manager

Date: _____

APPROVED AS TO FORM:

_____
City Attorney

NOTARY ACKNOWLEDGMENTS OF CONSULTANT MUST BE ATTACHED.

I:\City Attorney\Professional Services Agreement Short Amendment 2008 .doc

(Revised 11-2008)

ACKNOWLEDGMENT

State of California
County of San Diego)

On March 5, 2013 before me, Jessica Ascencio, Notary Public
(insert name and title of the officer)

personally appeared Vance Bradshaw, Vice President of Client Services,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ **(Seal)**

JESSICA ASCENCIO
COMM. # 1842830
NOTARY PUBLIC - CALIFORNIA
SAN DIEGO COUNTY
MY COMM. EXP. MAR. 30, 2013

5 Additional User Licenses

City of Oceanside, CA

Background

The City of Oceanside would like to purchase additional user licenses of TRAKiT. The City is currently licensed for forty-one user licenses (41).

Cost Summary

Five (5) Additional User Licenses - total increased to forty-six (46) $10,000.

NOTE: Annual maintenance is increased by $2,000/yr.

This will be added to maintenance cost beginning with the coverage period starting 8/1/2013.

Terms

- An updated software key containing the additional user licenses to be emailed upon receipt of payment
- Payment is due upon authorization:
  - license fee
  - Pro-rated maintenance from authorization to the next regular maintenance interval for the City.
    - 3/31/2013 – 7/31/2013 $667.
- This offer expires 3/31/2013

Authorization

Offer Authorized by:

Vance Bradshaw
VP, Client Services
CRW Systems, Inc

Accepted:

Name: _____ Title: _____

Signature: _____ Date: _____

(on behalf of the City of Oceanside, CA)

Proprietary and Confidential

COMMERCIAL RESTAURANTS

City of Oceanside, CA

Background

The City of Oceanside would like to add support for a new type of license (Commercial Restaurants) to TRAKiT and eTRAKiT.

Statement of Work

Commercial Restaurants

The City of Oceanside will add the new fee codes to TRAKiT and Active, and provide CRW Systems with the fee codes to use.

1. Add fee to the auto-insert script that adds fees when a new business is created
2. Allow renewal of commercial restaurants in the City's custom eTRAKIT License Renewal application, and ensure the correct fees are charged during this renewal process.
3. Assist the City with deploying the enhanced software

Cost Summary

Commercial Restaurants	$2,250.

Terms

- Delivery of a test version of TRAKiT with these enhancements to be made electronically within 30 days of authorization
- Payment is due upon first delivery of test version
- Customizations are considered accepted if no issues are reported within 7 days
- No on site work is included in this proposal
- The City will be responsible for adding the new fee codes in TRAKiT, and any Active configuration required
- Only customizations specifically identified herein are included
- Any additional changes will need to be quoted separately
- This offer expires 3/31/2013

Authorization

Offer Authorized by:

Vance Bradshaw
VP, Client Services
CRW Systems, Inc

Accepted by:

Name: _____ Title: _____

Signature: _____ Date: _____
(on behalf of the City of Oceanside, CA)

Proprietary and Confidential