

**FIRST AMENDMENT TO AGREEMENT BETWEEN
CITY OF TEMECULA AND QUESTICA LTD.
FOR**

BUDGETING SOFTWARE SYSTEM

THIS FIRST AMENDMENT is made and entered into as of **November 12, 2019** by and between the **City of Temecula**, a municipal corporation (hereinafter referred to as "City"), and **Questica Ltd.**, a Corporation (hereinafter referred to as "Questica"). In consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

1. This Amendment is made with the respect to the following facts and purposes:

a. On **December 11, 2018**, the City and Questica entered into that certain Agreement entitled "Agreement for Questica Software Subscription and Professional Services," in the amount of **\$102,571**.

b. The parties now desire to add scope of work, and increase the payment in the amount of **\$22,200** for additional software integration and reports, and to amend the Agreement as set forth in this Amendment.

2. Section **Appendix A** of the Agreement entitled "**FEES**" is hereby amended to read as follows:

The City agrees to pay Questica monthly, in accordance with the payment rates and schedules and terms set forth in Exhibit B, Appendix A – Fees, attached hereto and incorporated herein by this reference as though set forth in full, based upon actual time spent on the above tasks. Any terms in Exhibit B, other than the payment rates and schedule of payment, are null and void. The **First Amendment** amount shall not exceed **Twenty Two Thousand Two Hundred Dollars and No Cents (\$22,200.00)**, for additional software integration and reports for a total Agreement amount of **One Hundred Twenty-Four Thousand Seven Hundred Seventy-One Dollars and No Cents (\$124,771.00)**.

3. Appendix A-Fees and Appendix C-Scope of Work set forth in Exhibit B to this Amendment is hereby amended by adding thereto the items set forth on Attachment "A" to this Amendment, which is attached hereto and incorporated herein as though set forth in full.

4. Except for the changes specifically set forth herein, all other terms and conditions of the Agreement shall remain in full force and effect.


IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

CITY OF TEMECULA

QUESTICA LTD.

(Two Signatures of corporate officers required unless corporate documents authorize only one person to sign the agreement on behalf of the corporation.)

By: _____
Michael S. Naggar, Mayor

By:  _____
TJ Parass, President

ATTEST:

By: _____
Randi Johl, City Clerk

By:  _____
Craig Ross, Chief Revenue Officer

APPROVED AS TO FORM:

By: _____
Peter M. Thorson, City Attorney

CONSULTANT

Questica, Ltd.

Attn: Craig Ross, Chief Revenue Officer

2130 Main Street, Ste. 245

Huntington Beach, CA 92648

Phone: 877-707-7755 ext, 513

E-Mail: cross@questica.com

PM Initials: 

Date: 11/5/19

ATTACHMENT A

EXHIBIT B

APPENDIX A – FEES APPENDIX C- SCOPE OF WORK

Appendix A–FEES and Appendix C-SCOPE OF WORK of the original Agreement is amended by adding to the Software as a Service and Annual Subscription hosted by Questica, the additional software integration and reporting as outlined in proposal number T20191010.0012 and T20191030.003 in the amount of \$22,200 attached hereto and incorporated herein as though set forth in full, for a total Agreement Appendix A-FEES amount of \$124,771.



Price Estimate - Time & Materials

Estimate ID #'s :

T20191010.0012

T20191030.0003

Prepared for

Jennifer Hennessy
City of Temecula

By

Alicia Holloway
Questica Ltd.

October 30, 2019



Time & Materials Estimate

Estimate ID#: T20191010.0012 Rev 0 October 30, 2019

Requirement:

Change Order for the following Capital Reports:

- Sample CIP Budget Sheets
- Projected Summary by Type
- Comparison Between Projected Revenue and Costs

Description of Deliverable:

Spec and development of three reports noted above. Estimate includes time for testing and deployment.

Professional Services Items

Item	General Description	Total
1	Sample CIP Budget Sheets	\$4800
2	Projected Summary by Type – Adopted	\$4800
3	Comparison Between Projected Revenue and Costs – Adopted	\$4800
4	Project Management, Specification, Analysis, Testing and Deployment	\$3000

Terms	Invoiced Monthly. Net 30.	*Estimated Total Services:	\$17,400.00
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*This is an estimate of the cost of services which may, on completion, be higher or lower than the estimate. Time and materials will be billed monthly as time is incurred at an hourly rate of \$200.

Pricing Notes

Estimate ID#: T20191010.0012 Rev 0 October 30, 2019

- Pricing valid through: 12/31/2019
- Above pricing in US dollars
- Applicable Taxes Extra
- Work required by: 12/31/2019
- This is an estimate only. All work to be Invoiced monthly on Time & Materials basis.

Time & Materials Estimate

Estimate ID#: T20191030.0003 Rev 0 October 30, 2019

Requirement:

Change Order for additional PM hours to complete the Questica Implementation.

Description of Deliverable:

The current scope of work states that "This fixed price implementation includes project management for the duration of the 16 week implementation contiguous from kick-off", December 18, 2018. The number of PM hours is based on the 16 week timeline.

PM Hours for Implementation

As of the week of October 30, 2019, the implementation was in its 45th week and the original PM hours have been consumed. Questica is requesting additional PM hours to continue to lead the implementation and deliver the remaining activities as identified in the SOW with these suggested target completion dates:

Deliverables	Target Completion Date
Operating Integration – Import Actuals	November 8, 2019
Operating Integration – Export Budget Amendments	November 8, 2019
Capital – Client Sign-off	November 29, 2019
Capital – Training	December 6, 2019
Capital Integration - Export Budgets	Deferred – separate change order
Capital Integration - Import Actuals	Deferred – separate change order
Capital Integration – Export Budget Amendments	Deferred – separate change order
Configuration of Statistical Accounts	Deferred – separate change order
GO LIVE	December 20, 2019
Transition to Support	December 27, 2019

The estimate is based on completing the implementation over the next 8 weeks at an estimated 3 PM hours per week at \$200 per hour. (October 30, 2019 – December 27, 2019, approximately 8 weeks).

If the implementation deliverables exceed the 8 weeks, Questica will consider the change order extended and will continue working with the Client on whatever work is remaining as per the SOW.

If the implementation deliverables are approved by Client as completed (i.e. GO LIVE), earlier than the 8 weeks, Questica will consider this change order completed.

Professional Services Items

Item	General Description	Total
1	Project Management, Analysis, Consulting	\$4800

Terms	Invoiced Monthly. Net 30.	*Estimated Total Services:	\$4,800.00
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*This is an estimate of the cost of services which may, on completion, be higher or lower than the estimate. Time and materials will be billed monthly as time is incurred at an hourly rate of \$200.

Pricing Notes

Estimate ID#: T20191030.0003 Rev 0 October 30, 2019

- Pricing valid through: 12/31/2019
- Above pricing in US dollars
- Applicable Taxes Extra
- Work required by: 12/31/2019
- **This is an estimate only. All work to be Invoiced monthly on Time & Materials basis.**