

# Attachment 2

## PARKING PERMIT & CITATION PROCESSING

City of Lake Forest  
100 Civic Center Dr.  
Lake Forest, CA 92630



City of Lake Forest  
undefined  
Parking Permit & Citation Processing

I. PARTIES AND DATE. ....

II. RECITALS. ....

III. TERMS.....

IV. SIGNATURES. ....

V. EXHIBIT "C" - COMPENSATION .....

Attachments:

- A - DRAFT - City Council Staff Report (13)
- B - DRAFT - Attachment 1 - Data Ticket Original Agreement 2022-070

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## **1. PARTIES AND DATE.**

This Agreement is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the City of Lake Forest, a municipal corporation, organized under the laws of the State of California, with its principal place of business at 100 Civic Center Drive, Lake Forest, California 92630 ("City") and Data Ticket, Inc., a California Corporation (Inc.), with its principal place of business at 2603 Main Street, Suite 300, Irvine, CA 92614 ("Consultant"). City and Consultant are sometimes individually referred to herein as "Party" and collectively as "Parties."

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## **2. RECITALS.**

### **2.1. Agreement**

The Parties entered into that certain Agreement for Parking Permit and Citation Processing Program Services dated August 17, 2022 (“Agreement”).

### **2.2. First Amendment**

The Parties now desire to amend the Agreement in order to extend the term of the Agreement and update the rates of compensation under the Agreement.

### **3. TERMS.**

#### **3.1. Term.**

Section 3.1.2 of the Agreement is hereby amended in its entirety to read as follows:

The term of this Agreement shall be from August 17, 2022 to August 16, 2026, unless earlier terminated as provided herein. The City shall have the unilateral option, at its sole discretion, to renew this Agreement annually for no more than one (1) additional one-year terms. Consultant shall complete the Services within the term of this Agreement, and shall meet any other established schedules and deadlines.

#### **3.2. Rates of Compensation.**

Exhibit "C" of the Agreement is hereby amended in to update rates of compensation in the form of [EXHIBIT "C" - COMPENSATION](#) to this First Amendment, attached hereto and incorporated herein.

#### **3.3. Remaining Provisions of Agreement.**

Except as otherwise specifically set forth in this First Amendment, the remaining provisions of the Agreement shall remain in full force and effect.

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## 4. SIGNATURES.

### 4.1. SIGNATURES.

#### CITY OF LAKE FOREST

By:

Scott Voigts  
Mayor

#### Data Ticket, Inc.

By:

DocuSigned by:  
*Brook Westcott*  
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Brook Westcott  
Chief Operating Officer

#### ATTEST:

By:

Thy Merritt  
City Clerk

By:

DocuSigned by:  
*Brook Westcott*  
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Brook Westcott  
Chief Operating Officer

#### APPROVED AS TO FORM:

By:

DocuSigned by:  
*Matthew Richardson*  
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Best Best & Krieger LLP  
City Attorney

## 5. EXHIBIT "C" - COMPENSATION

### 5.1. EXHIBIT "C" - COMPENSATION

Consultant shall be paid for services in accordance with Section 3.3 of the Agreement and as described above under Exhibit "A" Scope of Services and the not to exceed fee of ONE HUNDRED SEVENTY-FIVE THOUSAND SEVEN HUNDRED THIRTY-EIGHT DOLLARS AND TWENTY CENTS (\$175,738.20).

Compensation shall be paid per the following schedule and terms.

Description	Unit	Cost/ Rate – Original Agreement	Cost/Rate – First Amendment
<b>PERMIT PROCESSING PROGRAM</b>			
Permit Registration and Validations Detailing Solution (Includes hosting requirements)	Per Year	\$6,000.00	\$6,000.00
Extra Programming Services (For additional Permit Types)	Per Hour	\$200.00	\$200.00
Permit Fulfillment (Includes Letter and First Class Mail)	Each	\$4.30	\$4.40
Permit Production (Estimated Cost for Decal Permits)	Each	\$0.45	\$0.45
<b>PARKING CITATION PROCESSING SYSTEM</b>			
Citation Processing - Automated	Each	\$0.48	\$0.48
Citation Processing - Manual	Each	\$0.65	\$0.65
Collection Letters	Each	\$0.78	\$0.91
Notice Processing	N/A	\$ -	\$ -
Final Notice Letters	N/A	\$ -	\$ -
Out of State Processing	Percent	23%	23%
Delinquent Processing (Based on value of delinquent citations)	Percent	23%	23%
Administrative Adjudication Including Online Appeals	Each	\$0.50	\$0.50
Adjudication Document Scanning	Each	\$0.50	\$0.50
Initial Review Result Letter	Each	\$0.78	\$0.91
Hearing Result Letters	Each	\$0.78	\$0.91
Hearing Examiner Services	Per Hour	\$85.00	\$85.00
Payment Plan Application Processing	Each	\$5.80	\$5.93
FTB Processing (in Dollars)	Each	\$10.00	\$10.00

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FTB SSN Lookup	Each	\$2.75	\$2.75
Warnings	Each	\$0.48	\$0.48
Handheld Lease (Monthly)	Per Month Per Device	\$39.00	\$39.00
Handheld Purchase	Each	\$1,277.00	\$1,277.00
Printer Lease - Included with Handheld	N/A	\$ -	\$ -
Printer Cost - Included with Handheld	N/A	\$ -	\$ -
Software Licensing Fees	Per Year Per Device	\$100.00	\$100.00
Software Maintenance with Data (Cost of Data is a Pass-through Charge of an estimated \$45 in addition to a monthly \$25 maintenance fee rate)	Per Month Per Unit	\$70.00	\$70.00
Citibank In-Trust (Escrow) Account Service*	Monthly	\$100.00	\$100.00
Refunds and NSF's	Per item	\$8.00	\$8.13

\*City shall be responsible to pay all bank and back supply charges for this account.

### **Other Miscellaneous Fees and Rates**

#### **Credit Card Chargeback Processing - \$30 per transaction**

- If a chargeback occurs, a fee will be charged to the Patron for the processing of the chargeback.
- No fee will be charged to the City.

**Postal Rate Increase Offset** – If postal rates increase during the term of the agreement, fees to Consultant shall be raised immediately to offset the effect of the actual postal rate increase.

### **County Fees**

Consultant shall deposit with the County Treasurer all sums due the County as the result of processing a parking violation not later than 45 days after the last day of the month in which the parking penalty was received.

Fees due to the county are subject to the California Vehicle Code and are separate from and not subject to the not-to-exceed fee for services provided by the Consultant. Exhibit "F" County of Orange Fees Report Example lists the most recent report template and contains rates as of the original agreement effective date. Fees may be subject to change based on County and State direction.

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In the event that this Agreement is renewed pursuant to Section 3.1.2, the rates set forth above may be increased or reduced each year at the time of renewal, but any increase shall not exceed the Consumer Price Index, All Urban Consumers, Los Angeles-Long Beach-Anaheim.

DocuSigned by:

*Brook Westcott*

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