



RESOLUTION No. 17-096

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING AMENDMENT NO. 3 TO THE SOFTWARE PURCHASE AND MAINTENANCE AGREEMENT WITH ACCELA, INC. FOR FISCAL YEAR 2016/17 INCREASING THE CONTRACT AMOUNT BY \$27,276 TO A MAXIMUM CONTRACT OF \$462,920 AND AUTHORIZING THE CHAIR OF THE BOARD OF SUPERVISORS TO EXECUTE THE CONTRACT AMENDMENT AND DIRECTING THE AUDITOR-CONTROLLER TO AMEND THE COMMUNITY DEVELOPMENT AGENCY 2016/17 BUDGET (4/5 AFFIRMATIVE VOTE REQUIRED)

WHEREAS, pursuant to Resolution 15-154 the Nevada County Board of Supervisors authorized an agreement to purchase software and ongoing maintenance and support from Accela, Inc.; and

WHEREAS, additional Accela licenses were purchased through Board Resolutions 16-115 and 16-567; and

WHEREAS, the Nevada County Community Development Agency wishes to purchase additional software licenses at the reduced contract rate; and

WHEREAS, the amended maximum contract amount will not exceed \$462,920.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Nevada Approves this amendment to the agreement between the County of Nevada and Accela, Inc. for Fiscal Year 2016/17 in the maximum amount of \$462,920 and authorizes the Chair of the Board of Supervisors to execute the contract amendment on behalf of the County of Nevada.

BE IT FURTHER RESOLVED that the Nevada County Board of Supervisors authorizes the release of the designated fund balance in CDA Fund 1123 in the amount of \$27,276 and directs the Auditor-Controller to amend the Fiscal Year 2016/17 Community Development Agency budget as follows:

Increase Budget:

1123-20707-321-1000/521470

\$27,276

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 28th day of February, 2017, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By:  _____



Hank Weston, Chair

2/28/2017 cc: CDA*
AC* (Hold)

3/2/2017 cc: CDA*
AC* (Release)

**AMENDMENT TO CONTRACT WITH
ACCELA, INC.**

THIS AMENDMENT is executed this 28th day of February, 2017 (the "Effective Date") by and between ACCELA, INC. and COUNTY OF NEVADA (the "Amendment"). Said Amendment will amend the prior agreement between the parties entitled AGREEMENT FOR LICENSED SOFTWARE, SERVICES, AND MAINTENANCE executed on April 15, 2015 by Resolution No. 15-154 and as amended on March 22, 2016 by Resolution No. 16-115 and on December 13, 2016 by Resolution 16-567 (the "Prior Agreement").

WHEREAS, the parties desire to amend their agreement to allow or provide for the purchase of additional software licenses and additional maintenance and support costs related to the additional licenses; and

WHEREAS, COUNTY OF NEVADA purchased an initial number of licenses at the time the agreement was executed; and

WHEREAS, additional licenses and maintenance, as shown in the quote attached hereto as Exhibit A, are necessary to fully implement the software at go-live; and

WHEREAS, the agreement allows for the purchase of additional licenses at the contracted rate; and

WHEREAS, additional licenses will require additional maintenance and support costs; and

WHEREAS, COUNTY OF NEVADA has sufficient funds available for the costs associated with this request.

NOW, THEREFORE, the parties hereto agree as follows:

1. This Amendment shall be effective as of February 28, 2017
2. SCHEDULE E of the Prior Agreement is amended to incorporate the content of EXHIBIT B.
3. Costs of licenses and maintenance purchased under this Amendment, as shown in EXHIBIT B, are payable upon execution of this Amendment.
4. The maximum amount of the agreement is increased to a shall not exceed amount of \$462,920.
5. That in all other respects the prior agreement of the parties shall remain in full force and effect except as amended herein.

APPROVED AS TO FORM:
COUNTY COUNSEL

By: 

COUNTY OF NEVADA

By: 
Honorable Hank Weston
Chair of the Board of Supervisors

ATTEST:

By: 
Julie Patterson Hunter
Clerk of the Board of Supervisors

CONTRACTOR:

By: 
Todd Foster
Assistant Secretary

EXHIBIT A
(licenses and maintenance quote)



February 1, 2017

Daniel Chatigny
Nevada County, CA
950 Maidu Ave
Nevada City California United States
95959-8600

RE: Quote Number: **Q-12290-2**

**Nevada County, CA Additional Land Management
Licenses**

Attached please find a quote for the products and services you requested.

Please refer to the Notes section for detailed information regarding this quote. It includes information on submitting a purchase order, payment terms, costs for on-site assistance, hardware, or other equipment, and requirements for developing a final Statement of Work.

If you have any questions regarding this estimate, please feel free to contact me at (925) 786-5300 or via e-mail at pmontalvo@accela.com.

Regards,

Paul Montalvo
Account Manager
pmontalvo@accela.com
Accela, Inc.



Quote Number: Q-12290-2, Date: February 1, 2017, Valid Until: March 27, 2017, Nevada County, CA

Land Management

PART #	PRODUCT NAME	QTY	UNIT PRICE	EXTENDED	DISCOUNT	NET PRICE
MI100ALMM120602	Accela Land Management Annual Maintenance and Supp - Silver	1	USD 5,279.0400	USD 5,279.04	0.000	USD 5,279.04
LC10CALMU050602	Accela Land Mgmt User Lic Packs (incl 5 named users per pack)	4	USD 6,598.8000	USD 26,395.20	16.667	USD 21,996.00
	Subtotal					USD 27,275.04

TOTAL: USD 27,275.04



License Summary

Product	QTY	Net Price
Accela Land Mgmt User Lic Packs (incl 5 named users per pack)	4	USD 21,996.00
Subtotal		USD 21,996.00
TOTAL:		USD 21,996.00

Maintenance Summary

Product	QTY	Annual Maintenance and Support Net Price
Accela Land Management Annual Maintenance and Supp - Silver	1	USD 5,279.04
Subtotal		USD 5,279.04
TOTAL:		USD 5,279.04



NOTES:

License and Maintenance Only

This quote is valid until March 27, 2017. After this date, all prices are subject to change. This quote supersedes any previous written or verbal estimate for products and installation services. In order to procure the above-mentioned services, please sign below submit a purchase order with the following information:

1. Signature of authorized personnel (if there is a signature line on the purchase order)
2. Estimate Number
3. Date

In order to expedite the process, please submit authorization via e-mail to contractsadmin@accela.com and also fax to the Attn. of Contracts Administration at (925) 407-2722. Please note that if faxing a purchase order, submit both front and back and send the original purchase order in the mail to Attn: Contracts Administration, Accela, Inc. 2633 Camino Ramon, Suite 500, Bishop Ranch 3, San Ramon, CA 94583.

Payment Terms: All license fees are fixed-price deliverables for which full payment is due upon signing or receipt of Agency purchase order. Payment obligations hereunder are non-cancelable and any sums when paid are non-refundable.

The Maintenance Fees are for the licenses being purchased under this quote. These fees are in addition to any existing maintenance fees on current Accela software products that you may already have purchased. The maintenance period for the licenses being purchased under this quote will begin upon delivery of such licenses to the agency. The Maintenance Fees are fixed-priced deliverables for which full payment is due upon signing or receipt of Agency purchase order. Agency will be responsible for payment or reimbursement to Accela, Inc. any and all federal, state, provincial and local taxes and duties that are applicable, except those based on Accela's net income.

If the Agency requires additional on-site assistance, a separate estimate will be provided. These costs do not include hardware or equipment. Please contact your selected hardware vendor for additional hardware or software costs.

The pricing set forth herein reflects information generally known to Accela, supplied to Accela by client, and based on Accela's interpretation of the work to be performed. Further information gathered through detailed investigation and configuration analysis by Accela is required before a final Statement of Work and pricing can be mutually agreed upon.

Alternate Terms Disclaimed: The parties expressly disclaim any alternate terms and conditions accompanying drafts and/or purchase orders issued by Customer.

EXHIBIT B
(licenses and maintenance fees table)

EXHIBIT B**LICENSE FEES**

Product	Fees
Four (4) Accela Land Mgmt User Lic Packs (incl 5 named users per pack)	\$21,996.00
Total License Fees	\$21,996.00

MAINTENANCE AND SUPPORT FEES

Product	Year 1
Accela Land Management Annual Maintenance and Support	\$5,279.04
Total Annual Maintenance and Support Fees	\$5,279.04

First-Term Annual Maintenance and Support Fees are fixed-priced deliverables for which full payment is due upon contract signing.

Renewal fees for the Second-Term through Fourth-Term Annual Maintenance and Support are subject to annual increases of four percent (4%) over the previous year's fees and are due on the anniversaries of the Effective Date.