

DUPLICATE

**SEVENTH AMENDMENT TO MASTER SERVICES CONTRACT  
WITH  
ONTARIO SYSTEMS, LLC DBA FINVI.**

This Seventh Amendment to the Master Services Contract with Columbia Ultimate, Inc. (Seventh Amendment) is made and entered into by and between The City of San Diego (City) and Columbia Ultimate, Inc. (Assignor), whereas, Columbia Ultimate, Inc. assigns its rights under this agreement to its parent company Ontario Systems, LLC dba Finvi, (Consultant), each also referred to individually as a "Party" and collectively as the "Parties."

**RECITALS**

WHEREAS, on November 15, 2011, the Parties entered into the Master Services Contract (as amended from time to time, the Contract), to provide licensing to the City of Consultant's proprietary debt collection software known as "Revenue Plus Collector System," as well as affiliated products and related modules (RPCS) on an as-needed basis; and

WHEREAS, the Parties have amended the Contract from time-to-time; and

WHEREAS, the City is involved in a major contract dispute with the vendor that had implemented a new software system to replace the RPCS, and therefore the City needs to revert to using the RPCS; and

WHEREAS, RCPS will no longer receive updates, therefore the City will need to identify and contract with a new debt collection software services vendor within that time; and

WHEREAS, the City's Purchasing Agent provided written sole source approval for the Contract for up to an additional two (2) years; and

WHEREAS, the Contract is set to expire on December 31, 2022, and the City, through this Seventh Amendment, is seeking to extend the term of the Contract for up to an additional two (2) years on a month-to-month basis with a total not to exceed (NTE) amount of \$500,000<sup>1</sup>, which extends the Contract further beyond five years requiring San Diego City Council approval under San Diego City Charter section 99;

NOW, THEREFORE, the City and Consultant agree as follows:

1. Section 105.a.(1) of the Contract shall be deleted and replaced in its entirety with the following language:

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<sup>1</sup> Note that approximately \$150,000 of the total annual expenditure amount is attributable to printing and mailing costs associated with Consultant's collections efforts.  
OCA Document: 3114555

“105. COMPENSATION AND METHOD OF PAYMENT

a. Fees and Expenses

The City or Corporation shall pay Consultant as follows for Services provided:

(1) Fees and Compensation: The City or Corporation shall pay Consultant the fees and compensation in the amounts specified in the Fee Schedule attached to the Seventh Amendment as Attachment A. Payment for Services provided after January 1, 2023, will be payable monthly at the rates indicated in Attachment A.”

2. Section 106, TERM, of the Contract as revised in Amendment No. 4 shall be deleted and replaced in its entirety with the following language:

“106. TERM

The term of this Contract with the City commenced on January 1, 2012, and shall remain in effect until December 31, 2024, unless terminated earlier pursuant to Section 314 of this Contract.

3. This Seventh Amendment will be effective when signed by both parties and approved by the City Attorney in accordance with Charter section 40.

4. All provisions of the Contract not addressed in this Seventh Amendment shall remain in full force and effect.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, this Seventh Amendment is executed by the City and Consultant acting by and through their authorized officers.

Consultant- Ontario Systems, LLC dba Finvi

By: 

Name: Joshua Schreiner

Title: Associate General Counsel

Date: October 25, 2022

City of San Diego

By: 

Name: Claudia C. Abarca

Title: Director, Purchasing & Contracting

Date: February 3, 2023

Assignor- Columbia Ultimate, Inc.

By: 

Name: Joshua Schreiner

Title: Associate General Counsel

Date: October 25, 2022

Approved as to form this 7<sup>th</sup> day of  
February, 2023.

MARA W. ELLIOTT, City Attorney

By:   
Deputy City Attorney

Bret A. Bartolotta  
Print Name

Attachment A  
Fee Schedule

Price Schedule  
*City of San Diego*

SILVER SUPPORT MONTHLY FEES  
*for January 1, 2023 through December 31, 2023*

Qty	Description	Monthly Support	Monthly License
53	Revenue Plus Collector System (RPCS) Licenses	\$2,329.35	\$776.45
53	NT Software Support	\$256.05	
58	CU-Emulate	\$424.32	
1	CU-Transit	\$219.47	
1	Client Acces Logon	\$47.55	
1	Test Logon	\$0.00	
1	Account Distribution/Payment Proration Module	\$444.44	\$89.01
1	Tax Intercept Module	\$88.40	\$17.68
1	CU-Archive	\$56.09	
3	MV.Net License	\$0.00	
1	CU-Schedule	\$12.19	
1	Custom Programs (detail on Custom Programs wksht)	\$854.56	
1	Annual Test/Back up Server Support	\$182.90	
1	Annual jBase Windows Software Support 3 Licenses	\$20.48	
<b>SUBTOTAL</b>		<b>\$4,935.80</b>	<b>\$883.14</b>
<b>TOTAL</b>		<b>\$5,818.94</b>	

**CUSTOM PROGRAMS**  
*for January 1, 2023 through December 30, 2023*

Qty	Project #	Description	Monthly Support	NOTE
1	Project #287194/303826/303287/303288	SAP Interfaces with General AR	\$65.52	
1	Project #322732	Modify Current RTax Referral	\$21.84	
1	Project #315331	SAP Interface with Water Module	\$122.30	
1	Project #335448	Library Interface	\$32.76	
1	Project #346315	Parking Interfaces	\$120.12	Written by 3rd Party
1	Project #345369	Accurint Interface	\$65.52	
1	Project #361723	CFDAILY2-WORK-DIST CFDAI	\$39.93	Written by 3rd Party
1	Project #378274	Add X5 Command to Support	\$43.68	
1	Project #375835	Automate Download process in Day	\$91.73	
3	Project #416223	Web Service for CUBS	\$76.44	
1	Project #432308	Crywolf Interface	\$131.04	
1	Project #446850	Btax	\$43.68	
<b>TOTAL</b>			<b>\$854.56</b>	

# Price Schedule

City of San Diego

## SILVER SUPPORT MONTHLY FEES for January 1, 2024 through December 31, 2024

Qty	Description	Monthly Support	Monthly License
53	Revenue Plus Collector System (RPCS) Licenses	\$2,445.82	\$815.27
53	NT Software Support	\$268.85	
58	CU·Emulate	\$445.54	
1	CU·Transit	\$230.44	
1	Client Acces Logon	\$49.93	
1	Test Logon	\$0.00	
1	Account Distribution/Payment Proration Module	\$466.66	\$93.46
1	Tax Intercept Module	\$92.82	\$18.56
1	CU·Archive	\$58.89	
3	MV.Net License	\$0.00	
1	CU·Schedule	\$12.80	
1	Custom Programs (detail on Custom Programs wksht)	\$897.29	
1	Annual Test/Back up Server Support	\$192.05	
1	Annual jBase Windows Software Support 3 Licenses	\$21.50	
<b>SUBTOTAL</b>		<b>\$5,182.59</b>	<b>\$927.29</b>
<b>TOTAL</b>		<b>\$6,109.90</b>	

Please note:

- « Any applicable taxes are not included.
- « Products and/or services purchased after receipt of this schedule will be added to the invoice.

**CUSTOM PROGRAMS**  
for January 1, 2024 through December 31, 2024

Qty	Project #	Description	Monthly Support	NOTE
	Project			
1	#287194/303826/303287/303288	SAP Interfaces with General AR	\$68.80	
1	Project #322732	Modify Current RTax Referral	\$22.93	
1	Project #315331	SAP Interface with Water Module	\$128.42	
1	Project #335448	Library Interface	\$34.40	
1	Project #346315	Parking Interfaces	\$126.13	Written by 3rd Party
1	Project #345369	Accurint Interface	\$68.80	
1	Project #361723	CFDAILY2-WORK-DIST CFDAI	\$41.93	Written by 3rd Party
1	Project #378274	Add X5 Command to Support	\$45.86	
1	Project #375835	Automate Download process in Day	\$96.31	
3	Project #416223	Web Service for CUBS	\$80.26	
1	Project #432308	Crywolf Interface	\$137.59	
1	Project #446850	Btax	\$45.86	
<b>TOTAL</b>			<b>\$897.29</b>	

11/10/2023 #58

(O-2023-82)

ORDINANCE NUMBER O- 21579 (NEW SERIES)

DATE OF FINAL PASSAGE JAN 13 2023

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING AMENDMENT NO. 7 TO THE MASTER SERVICES CONTRACT BETWEEN THE CITY OF SAN DIEGO AND COLUMBIA ULTIMATE, INC. TO EXTEND SUCH AGREEMENT BY UP TO TWO ADDITIONAL YEARS WITH A MAXIMUM NOT TO EXCEED AMOUNT OF \$500,000.

WHEREAS, the City of San Diego (City) and Columbia Ultimate, Inc. (Columbia) are parties to that certain Master Services Contract (Contract) dated November 15, 2011, whereby Columbia licenses its proprietary debt collection software known as the "Revenue Plus Collector System" and affiliated products and related modules to the City on an as-needed basis; and

WHEREAS, on August 6, 2014, the City entered into Amendment No. 1 to the Contract to allow for enhanced reporting and performance services and skip-tracing capabilities in addition to the debt collection services provided by Columbia; and

WHEREAS, on July 22, 2015, the City entered into Amendment No. 2 to the Contract to discontinue Ultimate Analytics services provided as part of Amendment No. 1 as set forth in the Ultimate Analytics License and Service Subscription Agreement; and

WHEREAS, on January 21, 2016, the City entered into Amendment No. 3 to the Contract to add three additional services and a revised Exhibit C; and

WHEREAS, on June 10, 2016, Ontario Systems acquired Columbia, but Columbia retains its status as a separate legal entity under its parent corporation, Ontario Systems; and

WHEREAS, on February 6, 2017, the City entered into Amendment No. 4 to extend the term of the Contract for up to an additional term of three years and to increase the annual expenditure authorization under the Contract from \$220,000 to \$230,000; and



WHEREAS, on December 3, 2019, the City entered into Amendment No. 5 to extend the term of the Contract for up to an additional two (2) years and increase the annual expenditure authorization under the Contract of up to \$240,000, for a total not-to-exceed amount of \$480,000; and

WHEREAS, on November 9, 2021, the City entered into Amendment No. 6 to extend the term of the Contract for one (1) additional year at an annual expenditure amount of up to \$250,000; and

WHEREAS, the Contract is set to expire on December 31, 2022, and the City, through an Amendment No. 7, is seeking to extend the term of the Contract for two (2) additional years with a maximum not to exceed amount of \$500,000, which will further extend the Contract term beyond the five (5) years allowed to be authorized by resolution; and

WHEREAS, on October 25, 2022, the Purchasing and Contracting Department Director approved the Request and Certification for Sole Source Procurement for this Amendment No. 7 to the Contract; and

WHEREAS, on November 3, 2022, the Council Committee on Budget and Government Efficiency voted to recommend approval of this Amendment No. 7 to the Contract by the full Council; and

WHEREAS, the Office of the City Attorney has drafted this Ordinance based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; and

WHEREAS, under San Diego Charter section 99, no contract, agreement or obligation extending for a period of more than five years may be authorized except by Ordinance approved by a two-thirds majority vote of the City Council; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the Mayor, or his designee, is authorized to execute, for and on behalf of said City, Amendment No. 7 in order to extend the Contract by two (2) additional years at a maximum not to exceed amount of \$500,000.

Section 2. That the expenditure of an amount not to exceed \$500,000 for the additional two (2) years of the Contract is authorized for the purpose of executing Amendment No. 7, contingent upon authorization of the respective fiscal year budget and provided that the Chief Financial Officer or his designee certifies that funds are available in the City treasury for such purposes.

Section 3. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

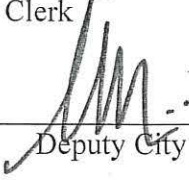
APPROVED: MARA W. ELLIOTT, City Attorney

By  /s/ Bret A. Bartolotta  
Bret A. Bartolotta  
Deputy City Attorney

BAB:jdf  
10/31/22  
Or.Dept: Treasurer  
Doc. No.: 3114557

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JAN 10 2023.

ELIZABETH S. MALAND  
City Clerk

By  \_\_\_\_\_  
Deputy City Clerk

Approved: 1/13/23  
(date)

 \_\_\_\_\_  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JAN 10 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JAN 13 2023

AUTHENTICATED BY: TODD GLORIA  
Mayor of The City of San Diego, California.

(Seal) ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By [Signature], Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on DEC 06 2022, and on JAN 13 2023.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal) ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By [Signature], Deputy

Office of the City Clerk, San Diego, California  
Ordinance Number O- 21599

Passed by the Council of The City of San Diego on January 10, 2023, by the following vote:

**YEAS:** LACAVA, WHITBURN, MONTGOMERY STEPPE, VON WILPERT, LEE, CAMPILLO, MORENO, & ELO-RIVERA.

**NAYS:** NONE.

**NOT PRESENT:** CAMPBELL.

**RECUSED:** NONE.

AUTHENTICATED BY:

**TODD GLORIA**

Mayor of The City of San Diego, California

**ELIZABETH S. MALAND**

City Clerk of The City of San Diego, California

(Seal)

By: Matthew R. Hilario, Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true, and correct copy of ORDINANCE NO. O-21599 (New Series) of The City of San Diego, California.

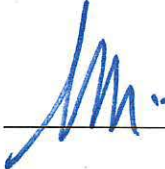
I FURTHER CERTIFY that said ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on December 6, 2022, and on January 13, 2023.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

**ELIZABETH S. MALAND**

City Clerk of The City of San Diego, California

(SEAL)

By:  \_\_\_\_\_, Deputy