

ORDINANCE NUMBER O- 21524 (NEW SERIES)DATE OF FINAL PASSAGE SEP 21 2022

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING EXECUTION OF THE THIRD
AMENDMENT TO VENDOR AGREEMENT NO. 4500023939
BETWEEN THE CITY OF SAN DIEGO AND VENTIV
TECHNOLOGY, INC.

WHEREAS, the Office of the City Attorney has prepared this ordinance based on the information provided by City of San Diego (City) staff, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete, true, and accurate; and

WHEREAS, Vendor Agreement Number 4500023939 (Agreement) was made and entered into on March 7, 2002, by and between Valley Oak Systems, Inc. (predecessor in interest to Aon eSolutions, Inc. and currently known as Ventiv Technology, Inc.) and the San Diego Data Processing Corporation (SDDPC), on behalf of the City of San Diego (City), to implement a system for injury tracking, claims administration, and maintenance and support; and

WHEREAS, the Agreement included the purchase of the City's current risk management system, iVOS, which the Risk Management Department uses to track and report on workers' compensation, public liability, loss recovery, and long-term disability claims; and

WHEREAS, on January 1, 2012, SDDPC assigned to the City its rights and obligations under the Agreement; and

WHEREAS, by San Diego Ordinance O-20781 (January 18, 2017), the City Council authorized execution of the First Amendment to the Agreement, which allowed the Risk Management Department to extend managed services hours on an as-needed basis and on-site iVOS training for workers' compensation, public liability, loss recovery, and long-term disability claims and extended the term of the Agreement and increased the not-to-exceed amount; and

WHEREAS, by San Diego Ordinance O-21336 (June 30, 2021), the City Council authorized execution of the Second Amendment to the Agreement to extend the term of the Agreement, provide a not-to-exceed amount for the extension term of the Agreement, and otherwise modify the Agreement pursuant to the terms of the Second Amendment; and

WHEREAS, upon the recommendation of the Mayor, through the Risk Management Department, the City Council wishes to authorize execution of the Third Amendment to the Agreement to allow the Risk Management Department to purchase additional licenses and additional maintenance and support services, increase the not-to-exceed amount to pay for the additional licenses and services, and to clarify the term of the Agreement; and

WHEREAS, under 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 the Third Amendment to Vendor Agreement Number 4500023939 between the City of San Diego and Ventiv Technology, Inc., adding additional licenses and services, increasing the total not-to-exceed amount to \$1,356,561.63, and clarifying the term of the Agreement, in accordance with the terms and conditions set forth in the Third Amendment to the Agreement, on file in the Office of the City Clerk as Document No. 00-21524.

Section 2. That the Chief Financial Officer is authorized to expend funds in an amount not to exceed \$1,356,561.63, for the remaining term of the Agreement, including any optional years, from Fund No. 720048, Risk Management Administration Fund, contingent upon the adoption of the Appropriation Ordinance for the applicable fiscal years and contingent upon the

Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Section 3. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the City 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/ Joan F. Dawson
Joan F. Dawson
Senior Deputy City Attorney

JFD:jdf
5/31/22
Or.Dept: Risk Management
Doc. No.: 2993718

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of SEP 13 2022

ELIZABETH S. MALAND
City Clerk

By [Signature]
Deputy City Clerk

Approved: 9/20/22
(date)

[Signature]
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

(NOTE: The date of final passage is September 21, 2022, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval.)

Passed by the Council of The City of San Diego on SEP 13 2022, 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
Chris Cate	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 SEP 21 2022.

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 AUG 02 2022, and on SEP 21 2022.

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- <u>20524</u>