

ORDINANCE NUMBER O- 21600 (NEW SERIES)DATE OF FINAL PASSAGE JAN 13 2023

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE THIRD AMENDMENT TO
THE ANNUAL SUPPORT AND LICENSE AGREEMENT
BETWEEN THE CITY OF SAN DIEGO AND ELIVE
CORPORATION TO EXTEND SUCH AGREEMENT BY TWO
YEARS AND INCREASE THE MAXIMUM NOT TO EXCEED
AMOUNT BY \$25,000.

WHEREAS, the City of San Diego (City) and Elive Corporation (Elive, formerly
Compass Computer Solutions, Compass) are parties to that certain Annual Support and
License Agreement dated January 11, 2018 (Contract) whereby Elive provides software
programs and related software support services to the City; and

WHEREAS, on January 8, 2020, the City and Compass entered into a First Amendment
to the Contract; and

WHEREAS, on December 29, 2021, the City and Elive entered into a Second
Amendment to the Contract; and

WHEREAS, the Contract is set to expire on December 31, 2022, and the City, through a
Third Amendment to the Contract (Third Amendment), is seeking to extend the term of the
Contract for two (2) additional years with a \$25,000 increase bringing the maximum not to
exceed amount to \$64,000, which will 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 Third Amendment;
and

WHEREAS, on November 3, 2022, the Council Committee on Budget and Government Efficiency voted to recommend approval of this Third Amendment 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, the Third Amendment to extend the Contract by two (2) additional years at an increased maximum not to exceed amount of \$64,000.

Section 2. That the expenditure of an amount not to exceed \$25,000 for the additional two (2) years of the Contract is authorized for the purpose of executing the Third Amendment, 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.: 3115284

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 [Signature]
Deputy City Clerk

Approved: 1/13/23
(date)

[Signature]
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:

(Seal)

TODD GLORIA

Mayor of The City of San Diego, California.

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

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