

City of Brisbane
Agenda Report

To: City Council via City Manager

From: Administrative Services Director

Subject: Approve Third Amendment to Turbo Data Systems Agreement regarding parking citation processing.

Date: Meeting of June 20, 11

Recommendation:

Approve the third amendment to the Turbo Data Systems Agreement and authorize the Mayor to sign it.

Background:

At the April 26, 1999 City Council meeting the original agreement with Turbo Data Systems was approved. The agreement was signed for a three-year term and expired as of June 30, 2002. The City Council approved the first amendment to the agreement on June 24, 2002. The second amendment was approved on June 20, 2005. The City chose Turbo Data Systems based on a response to a County-wide Request for Proposal. At that time it was determined to be in the City's best interest to band together with all of the other agencies in San Mateo County for the selection of a parking citation service. The combined total of parking citations in the County was 250,000 at that time. Therefore, the City would receive favorable rates based on the large number of citations written throughout the County.

It is now time for renewal of the agreement with Turbo Data Systems. We have received the level of service expected from the Company and are satisfied with their results. The rest of the County's agencies are renewing the agreement with Turbo Data Systems so we will be able to continue to benefit from the economies of scale produced by the other agencies.

Fiscal Impact:

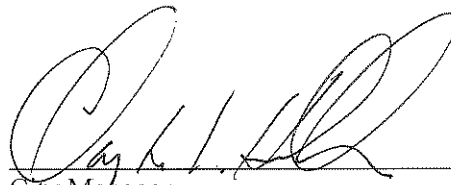
Turbo Data Systems directly wires funds into our bank account as funds are collected. The City receives over \$2,000 a month from parking citations.

Attachments:

Amendment 3 to the Turbo Data Systems Inc. Agreement.



Administrative Services Director



City Manager

**FIRST AMENDMENT TO
AGREEMENT FOR PROFESSIONAL SERVICES –
PARKING CITATION PROCESSING AND ADJUDICATION
BETWEEN THE CITY OF BRISBANE
AND TURBO DATA SYSTEMS, INC.**

THIS FIRST AMENDMENT is made and entered into this ____ day of _____, 2011 by and between the CITY OF BRISBANE, a municipal corporation ("CITY") and TURBO DATA SYSTEMS, INC., a California corporation ("CONTRACTOR").

RECITALS

WHEREAS, on July 1, 2006, CITY and CONTRACTOR entered into an agreement entitled "Agreement for Professional Services – Parking Citation Processing and Adjudication" ("AGREEMENT"); and

WHEREAS, the CITY and CONTRACTOR desire to do the following:

1. Extend the AGREEMENT term for an additional three (3) years as allowed for in Section 3 OPTION of the original AGREEMENT; and
2. Amend Exhibit A of the AGREEMENT to update the compensation to the current fees being charged (due to changes in fees based on postal increases during the last 5 years) and to change the Cost to the Public for Credit Card by Phone and Internet from \$3 to \$3.95.

NOW, THEREFORE, the parties agree to amend the AGREEMENT as follows:

SECTION 1. Section 2 of the AGREEMENT, entitled "TERM" shall be amended to read as follows:

2. TERM This AGREEMENT shall be extended from June 30, 2011 to June 30, 2014.

SECTION 2. Exhibit A: Scope of Work and Compensation shall be replaced with a new Exhibit A, attached, defining the current fees being charged for the existing agreement and modifying the Cost to the Public for Credit Card Payment by Phone and Internet from \$3 to \$3.95.

SECTION 3. All of the terms and conditions of the original AGREEMENT, except those specifically modified and amended herein, shall remain in full force and effect.

WITNESS THE EXECUTION HEREOF the day and year first hereinabove written.

CITY OF BRISBANE
a municipal corporation

APPROVED AS TO FORM:

By _____
Cyril G. Bologoff
Mayor

Hal Toppel
City Attorney

TURBO DATA SYSTEMS, INC.
a California corporation

By _____
Roberta J. Rosen
President

AGREEMENT FOR PROFESSIONAL SERVICES –
PARKING CITATION PROCESSING AND ADJUDICATION

EXHIBIT A - SCOPE OF WORK AND COMPENSATION – REVISED MAY 2011

TDS will provide Parking Citation and Processing Services, including independent subcontracted adjudication services, as outlined in this Scope of Work, which includes the Request for Proposals To Provide Parking Citation Processing and Payment Services For the San Mateo County Cities, and the Proposal To Provide Parking Citation Processing and Payment Services For the San Mateo County Cities submitted by TDS and dated March 9, 2006, both of which are hereby incorporated herein by reference as if set out in full as the Scope of Work and Compensation for TDS.

Fee Schedule

Per Citation/Processing Fee - Electronic (entered within 48 hrs)		\$1.28
Per Citation/Processing Fee - Electronic (entered after 48 hours)		\$1.40
Per Citation/Processing Fee - Hand Written		\$1.40
Out of State Processing:		
Paid Off Windshield Notice		No additional charge
Additional Processing Required	% of collections	25%
Administrative Adjudication Processing - price per citation entering the process		\$3.675
Administrative Hearings		\$20
Reminder Notices	per notice mailed	\$0.67
Final Notices, DMV Hold Letters, and Other Mailings		\$0.67
Credit Card by Phone and Internet	Cost to City	no charge
Credit Card by Phone and Internet	Cost to Public	\$3.95
Online System Access - City Personnel	1st workstation	no charge
Per month for additional stations		\$40
Online System Access - Public		no charge
Parking Information Portal and Online Reporting Access		no charge
Other Fees:		
Advanced Collections		25% of collected
Interagency Offset Program (through FTB):		
	Charge for Notice	to be determined
	Social Security Lookup	to be determined
	Collected Revenue	to be determined

If postal rates change during the term of the Agreement, the compensation to Contractor shall be adjusted effective the same day as the postal rate increase by the same amount as the change in postage. This will affect the per notice prices of all services as well as the Administrative Adjudication Pricing. The formula for determining the amount to be added to the charge for each citation entering the Administrative Adjudication Process shall be:

$$\frac{\text{Number of letters sent in the Adjudication Process for the previous three months}}{\text{Number of individual citations for which those letters were sent, i.e., volume of appeals}} \times \text{Change in Postal Rate}$$

Should Customer require a performance bond, TDS will prepay such cost and Customer will reimburse TDS within 15 days upon proof of coverage and payment by TDS.