CHANDLER
arizona

City Clerk Document No. 18-2072

City Council Meeting Date: 3/24/22

AMENDMENT TO CITY OF CHANDLER AGREEMENT
ELECTRONIC PAYMENT PORTAL/THIRD PARTY PAYMENT PROCESSING
CITY OF CHANDLER AGREEMENT NO. MS3-920-3131

THIS AMENDMENT NO. 3 is made and entered into by and between the City of Chandler, an Arizona municipal corporation (City), and Invoice Cloud, Inc. (Contractor), (City and Contractor may individually be referred to as Party and collectively referred to as Parties) and made ____________, 2022 (Effective Date).

RECITALS

WHEREAS, the Parties entered into an agreement for an electronic payment portal and third party payment processing services (Agreement); and

WHEREAS, the term of the Agreement was June 1, 2013, through May 31, 2020; and

WHEREAS, the Parties exercised an option to extend the agreement for the term June 1, 2020, through May 31, 2021;

WHEREAS, the Parties wish to exercise an option through this Amendment to extend the Agreement for two years.

AGREEMENT

NOW THEREFORE, the Parties agree as follows:

1. The recitals are accurate and are incorporated and made a part of the Agreement by this reference.

2. Section 2.1, Term of Agreement is amended to read as follows: The Agreement is extended for a two-year period, June 1, 2022, through May 31, 2024.

3. Section 3.11, Fees for Services, is amended to read as follows: All Vendor's expenses for provision of the Services are included in the fees set forth in Revised Exhibit B, which is incorporated into and made a part of this Amendment No. 3 by this reference.

4. All other terms and conditions of the Agreement remain unchanged and in full force and effect. If a conflict or ambiguity arises between this Amendment No. 3 and the Agreement, the

terms and conditions in this Amendment No. 3 prevail and control.

IN WITNESS WHEREOF, the Parties have entered into this Amendment on the Effective Date.

FOR THE CITY	**FOR THE CONTRACTOR**
By: ______________________	By: kevin O'Brien
Its: Mayor	Its: President, Enterprise Solutions

APPROVED AS TO FORM:

By: ______________________ MB

City Attorney

ATTEST:

By: ______________________

City Clerk

REVISED EXHIBIT B
SCHEDULE OF FEES

The following fee schedule is broken down into five parts; processing costs if the City absorbs the processing fee to take advantage of the utility processing rate program, processing costs if the City determines to utilize the submitter program and pass the convenience fee cost onto Customers, costs for Other Services, Implementation Fees, and Additional Services. Fees will not be debited coincident with payments. Fees will be debited from the operating account at the end of the month, with detailed statements provided to the City Billing Contract (see, Subsection 3.1.5).

City Absorbs the Fees	
Account Access for Branded Customer and Biller Portal	**Fee**
Unlimited Users and Paperless Billing	Monthly Fees as follows: $1,500 for year 1 $2,000 for year 2 $2,500 for year 3 and beyond
Each additional unique biller administrative username	$0
Monthly Access fee for Customers: The Monthly Account Access Fee is required for all billers utilizing any portion of the Services. In addition to full access by the City, the service provides full access to Customer for online payment, invoice and payment history – free for Customers.	$0
Cloud Access Fee – per each Cloud Payments invoice type	$50 per month
Electronic Invoice Presentment Fees	**Fee**
Electronic Invoice Fee – (included in the Monthly Account Access Fee)	$0
Electronic Payment Fees	
EFT/ACH – ALL PROGRAMS	$0.45 per transaction
Visa, MC, Discover, American Express and PayPal Brands (Taxes and Non-Utilities Government Services)	Network Fees at pass-through, plus $0.55 per transaction or authorization
Visa, MC, Discover, American Express and PayPal Brands (Utilities)	Network Fees at pass-through, plus $0.55 per transaction or authorization
Customer Services Requests	
Service Request – per request	$0
Other Fees for Merchant Services when the City Absorbs the Cost of Processing	
ACH Reject Fee	$5.00 per reject
CreditCard Chargeback Fee	$25.00 per chargeback

Convenience Fee	
Vendor will collect and retain online payment service fees paid by the Customer, as outlined below. Vendor is responsible for the cost of the online payment transactions.	
Account access for Branded Customer and Biller portal	**Fee**
Unlimited Users and Paperless Billing	Included in the City Absorbs Fees Chart above
Each additional unique City administrative user name	$0
Electronic Invoice Presentment Fees	**Fee**
Electronic Invoice fee – (included in the Monthly Account Access Fee outlined in the City absorbs Fees Chart above)	$0
Electronic Payment Fees – Paid by Payer	
EFT/ACH	$0.95 per transaction
Visa, MasterCard, American Express, and PayPal – Fee Per Transaction – Taxes and Non-Utilities Government Services	2.95% with $1.00 minimum
Other Services	
IC Online Bank Direct Program	
Monthly Access Fee	$0 per month
Online Bank Transaction Fee	$0.25 per transaction
Point of Sale Processing (POS) Over the Counter Hardware	**Fee**
Equipment – fifteen (15) card swipes included at no cost to the City	$30 per additional card swipe per month
Implementation Fee	
The City shall pay a one-time implementation fee of $80,000 within thirty (30) days of execution of the Agreement.	$0 for Renewal
[redacted]	
The fees for Additional Services will be billed out at $150.00 per hour. If desired, on-site training is available for $1,000.00 per day, plus travel expenses. On-going support and (remote) training s available free of charge through the Customer Support Helpdesk.	
Outbound Campaigns	**Fee**
Outbound Voice Calls & SMS Text	$0.05 per minute
Outbound Email	$0.04 per message