

**REPORT TO MAYOR AND COUNCIL**

TO THE HONORABLE MAYOR AND COUNCIL:

DATE: December 8, 2015

SUBJECT: EXTEND CURRENT AGREEMENT BETWEEN THE CITY OF CONCORD AND NEKO INDUSTRIES, INC. TO COMPLETE WORK ON THE CITY'S ELECTRONIC DOCUMENT MANAGEMENT SYSTEM (EDMS) (GENERAL FUNDS)

Report in Brief

Staff recommends Council approve the extension of the professional services agreement with Neko Industries, Inc. to complete work on the City's Electronic Document Management System (EDMS), and authorize the City Manager to execute the amendment.

Background/Discussion

The City of Concord has a professional services agreement with NEKO Industries, Inc. to provide implementation of the City's EDMS. The current agreement expires on December 21, 2015, and the implementation of the system is not expected to be completed until spring 2016. Staff is recommending extension of the term of the agreement so that work can continue until the project is complete; staff is not requesting additional funds at this time.

Fiscal Impact

There is no fiscal impact.

Public Contact

Posting of the Council Agenda.

**EXTEND CURRENT AGREEMENT BETWEEN THE CITY OF CONCORD AND
NEKO INDUSTRIES, INC. TO COMPLETE WORK ON THE CITY'S ELECTRONIC
DOCUMENT MANAGEMENT SYSTEM (EDMS) (GENERAL FUNDS)**

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Recommendation for Action

Staff recommends the City Council approve a one year extension to the agreement with NEKO Industries, Inc. to continue implementation of the EDMS, and authorize the City Manager to execute the amendment.

Prepared by: Joelle Fockler, CMC
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Director of Information Technology
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Attachment 1: Amendment 1 to Agreement with NEKO Industries, Inc.

FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

1 This First Amendment to Professional Services Agreement (“First Amendment”) is entered
2 into on this date, December 8, 2015, and amends the Professional Services Agreement, Agreement
3 No. 5366, (defined below) between the City of Concord (“CITY”) and NEKO Industries, Inc., A
4 Delaware Corporation, 3017 Douglas Boulevard, Suite 300, Roseville, CA 95661
5 (“CONSULTANT”).

6 **WHEREAS**, the CITY and CONSULTANT entered into a Professional Services Agreement
7 dated December 15, 2014 (“Original Agreement”), wherein CONSULTANT agreed to provide
8 implementation of the OnBase ECMS.

9 **WHEREAS**, under Section 5 “Term” the Original Agreement provides that the agreement
10 may be amended by the parties subject to consent and in accordance with the CITY’S Municipal
11 Code.

12 **WHEREAS**, the Original Agreement and First Amendment are collectively referred to herein
13 as the “Professional Services Agreement.”

14 **NOW THEREFORE**, in consideration of the promises and conditions set forth in the
15 Professional Services Agreement, the parties mutually desire to amend the Professional Services
16 Agreement as follows:

- 17 1. Section 1 **TERM** is hereby amended to read as follows: This Agreement shall
18 commence on December 22, 2014 and expire on December 21, 2016.
- 19 2. Except as expressly amended herein, all other terms and conditions of the Professional
20 Services Agreement shall remain in full force and effect.

21 **IN WITNESS WHEREOF**, the parties have executed this First Amendment on the date
22 indicated above.

23 **Signatures on the following page.**

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Dated: _____, 2015

NEKO INDUSTRIES, Inc.

BY: _____

Ronald J. Hofhenke
Partner
3017 Douglas Boulevard, Suite 300
Roseville, CA 95661

Dated: _____, 2015

CITY OF CONCORD

By: _____

Valerie J. Barone
City Manager

APPROVED AS TO FORM:

ATTEST:

Brian M. Libow
Interim City Attorney

Joelle Fockler, CMC
City Clerk