



Council Agenda Report

To: Mayor Silverstein and the Honorable Members of the City Council

Prepared by: Kelsey Pettijohn, City Clerk

Reviewed by: Steve McClary, City Manager

Approved by: Steve McClary, City Manager

Date prepared: February 7, 2023 Meeting date: February 27, 2023

Subject: Amendment to Professional Services Agreement with NextRequest

RECOMMENDED ACTION: Authorize the Mayor to execute Amendment No. 1 to Professional Services Agreement with NextRequest for a platform through which the City may manage public records requests.

FISCAL IMPACT: No additional appropriation is required. Funding for this agreement/project is included in the Adopted Budget for Fiscal Year 2022-2023 in Account No. 100-7007-5100 (Professional Services).

WORK PLAN: This item was included as item #6.b. in the Adopted Work Plan for Fiscal Year 2022-2023.

DISCUSSION: The City receives over 600 public records requests in a typical year and requires a software system to manage tracking and responding to requests. The City began using NextRequest in 2020 and the system has worked well for staff and the public. This amendment extends the term of the current agreement, entered into on March 1, 2022, two years and accounts for a 5% yearly increase in costs. The cost of services for the next year will be \$13,643.44.

ATTACHMENTS: Amendment No. 1 to Professional Services Agreement with NextRequest

AMENDMENT NO. 1 TO AGREEMENT

THIS AMENDMENT NO. 1 TO AGREEMENT is made and entered in the City of Malibu on February 27, 2023, by and between the CITY OF MALIBU, hereinafter referred to as City, and NextRequest, hereinafter referred to as Consultant.

The City and the Consultant agree as follows:

RECITALS

- A. On March 1, 2022, the City entered into an Agreement with Consultant for Software-as-a-Service (SaaS) platform through which the City may manage public records requests (the "Agreement").
- B. The City desires to amend the Agreement to extend the term of the agreement and increase the compensation for services, and Consultant has submitted a proposal for this purpose that is acceptable to the City.

NOW THEREFORE, in consideration of their mutual promises, obligations and covenants hereinafter contained, the parties hereto agree as follows:

- 1. Section 2.0 – Term of Agreement, of the Agreement, is hereby extended to March 1, 2025.
- 2. Section 4.0 – Compensation for Services, of the Agreement, is hereby amended to allow the compensation as set forth in Exhibit A attached hereto, which includes a 5% yearly increase for use of the NextRequest Records Request Management Module.
- 3. The Parties agree that this Amendment will be considered signed when the signature of a party is delivered physically or by facsimile transmission or scanned and delivered via electronic mail. Such facsimile or electronic mail copies will be treated in all respects as having the same effect as an original signature.
- 4. All terms and conditions of the Agreement not amended by this Amendment No. 1 remain in full force and effect.

This Agreement is executed on February 9, 2023, at Malibu, California, and effective as of March 1, 2023.

CITY OF MALIBU:

BRUCE SILVERSTEIN, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk
(seal)

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE

TREVOR RUSIN, Interim City Attorney


CONSULTANT:



By: Robert Sydnor
Title: CTrO & Business Operations

NextRequest for City of Malibu

Prepared for: Kelsey Pettijohn, City of Malibu
Prepared by: Angélique Mansell (NextRequest)
Date: Jan 4, 2023

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| What do I get with NextRequest? | <p><u>An all-in-one platform for managing records requests</u> across your entire agency. It's an annual subscription and includes:</p> <ul style="list-style-type: none">• Workflow Tools• Document Hosting & Management• Dashboards and Custom Reporting• Request Diversion• Regular Product Improvements and Feature Updates |
| Security? | <p>We protect your information using:</p> <ul style="list-style-type: none">• SOC 2 Security Audit• Encryption and Threat/Uptime Monitoring• See a full overview at: nextrequest.com/security. |
| Technical Requirements? | <p>NextRequest is entirely web based and software-as-a-service</p> <ul style="list-style-type: none">• Everything in the cloud - no downloads or installations• Works on all modern web browsers |

NextRequest Quote - City of Malibu

Current Date: Jan 4, 2023 (pricing valid for 60 days from current date)

| | | | |
|----------|---|------------|-------------------|
| Customer | City of Malibu | Term Start | March 1, 2023 |
| Address | 23825 Stuart Ranch Road, Malibu, CA 90265 | Term End | February 28, 2024 |
| Contact | Kelsey Pettijohn | Invoicing | Invoiced annually |

| Required Items | Price | QTY | Subtotal |
|---|------------|-----|------------|
| Annual NextRequest License <ul style="list-style-type: none">Record Request Management Module & Document ModuleSoftware as a Service (SaaS)50 users across 10 departmentsSLA - Email SupportRedaction | \$8,682.19 | 1 | \$8,682.19 |
| RapidReview (yearly) Process, organize, batch redact, extract, and review large amounts of email files or documents. (Standard Redaction module included) | \$4,961.25 | 1 | \$4,961.25 |

Total **\$13,643.44**

Renewals: Pricing may be subject to a standard 5% annual increase to account for application improvements, new features and inflation.