

**AMENDMENT TWO  
TO TYLER TECHNOLOGIES, INC. LICENSE AND SERVICES AGREEMENT**

THIS AMENDMENT TWO TO TYLER TECHNOLOGIES, INC. LICENSE AND SERVICES AGREEMENT ("Amendment") is effective as of the date of signature of the last party to sign as indicated below ("Amendment Effective Date"), by and between Tyler Technologies, Inc., with offices at One Tyler Drive, Yarmouth, Maine 04096 ("Tyler") and the City of Costa Mesa, with offices at 77 Fair Drive, Costa Mesa, CA 92626 ("Client").

WHEREAS, Tyler and the Client are parties to a License and Services Agreement dated October 30, 2019 relating to the acquisition and implementation of a new land management system for the Client ("Agreement"); and

WHEREAS, Tyler and Client amended certain terms of the Agreement through Amendment One to the Agreement, which Amendment One was effective as of May 4, 2020; and

WHEREAS, the extension of stages 1 and 2 of the project significantly exceeded budgeted hours; and

WHEREAS, Tyler and Client desire to amend the terms of the Agreement to provide for the additional time, hours and compensation needed to complete the final stages of the project.

NOW THEREFORE, in consideration of the mutual promises hereinafter contained, Tyler and the Client agree as follows:

1. Exhibit A (Investment Summary), EnerGov Professional Services, is hereby amended to reflect the following changes to the Professional Implementation Services and Professional Management Services line items:

<b>Description</b>	<b>Hours/Units</b>	<b>Unit Price</b>	<b>Extended Price</b>
Professional Implementation Services	1,972	\$175.00	\$345,100.00
Professional Management Services	664	\$175.00	\$116,200.00

2. Exhibit A (Investment Summary), EnerGov Professional Services, is hereby amended to reflect the following total:

**TOTAL:                   \$639,550.00**

3. Exhibit A (Investment Summary), Summary, is hereby amended as follows:

<b>Summary</b>	<b>One-Time Fees</b>	<b>Recurring Fees</b>
Total SaaS	\$0.00	\$17,608.00
Total Tyler Software	\$487,306.00	\$118,092.00
Total Tyler Services	\$639,550.00	\$0.00
Total 3rd Party Hardware, Software and Services	\$0.00	\$0.00
<b>Contract Summary Total</b>	<b>\$1,026,856.00</b>	<b>\$135,700.00</b>
Estimated Travel Expenses	<b>\$34,000.00</b>	
<b>Contract Total</b>	<b>\$1,060,856.00</b>	

Recurring Fees	
Year 1	\$17,608.00
Year 2	\$142,485.00
Year 3	\$149,609.00

4. Exhibit E (Statement of Work), Section 1.3, is hereby amended as follows:

Initiate & Plan	October 2019 – November 2020
Assess & Define	November 2020 – December 2021
Build & Validate	December 2021 – December 2022
Final Testing & Training	December 2022 – November April 2023
Production Cutover (Go Live)	April 2023 – May 2023
Closure	June 2023

5. This Amendment shall be governed by and construed in accordance with the terms and conditions of the Agreement.
6. Except as expressly indicated in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

[SIGNATURE PAGE FOLLOWS.]

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the dates set forth below.

TYLER TECHNOLOGIES, INC.

CITY OF COSTA MESA, CA

By:\_\_\_\_\_

By:\_\_\_\_\_

Name:\_\_\_\_\_

Name:\_\_\_\_\_

Title:\_\_\_\_\_

Title:\_\_\_\_\_

Date:\_\_\_\_\_

Date:\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Brenda Green  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Kimberly Hall Barlow  
City Attorney