

**AMENDMENT NUMBER TWO
TO PERFORMANCE AGREEMENT
WITH
DATA TICKET, INC.**

This Amendment Number Two ("Amendment") is made and entered into this 15th day of September, 2020 ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City"), and DATA TICKET, INC., a California corporation ("Contractor").

WHEREAS, City and Contractor entered into a Performance Agreement on or about September 23, 2015 for Contractor to provide parking citation processing services (the "Agreement"); and

WHEREAS, on July 1, 2017, City and Contractor amended Section 7.1 of the Agreement to provide that the Agreement would automatically renew for successive one (1) year periods for up to four (4) years; and

WHEREAS, City and Contractor now desire to extend the term of the Agreement for one (1) additional year, through September 22, 2021.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The term of the Agreement shall be extended for one (1) year, through September 22, 2021.
2. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.
3. All other terms, conditions, and provisions of the Agreement not in conflict with this Amendment shall remain in full force and effect.
4. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original. All counterparts shall be construed together and shall constitute one agreement. Counterpart written signatures may be transmitted by facsimile, email or other electronic means and have the same legal effect as if they were original signatures.

[Signatures appear on following page.]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective authorized officers, as of the date first written above.

CITY OF COSTA MESA

Jan Amador
City Manager

Date: 9/29/20

CONTRACTOR

Bruce Adams
Signature

Date: 9-23-2020

Deok W. Lee, COO
Name and Title

ATTEST:

Brenda Green Albalzo
City Clerk



APPROVED AS TO FORM:

[Signature] ACA
City Attorney

Date: 9/25/2020

APPROVED AS TO INSURANCE:

[Signature]
Risk Management


Date: 9/24/2020

APPROVED AS TO CONTENT:

[Signature]
Project Manager

Date: 9-24-2020

DEPARTMENTAL APPROVAL



Police Chief

Date: 092420

APPROVED AS TO PURCHASING:



Finance Director

Date: 9/23/20