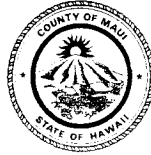


DANNY A. MATEO  
County Clerk



JOSIAH K. NISHITA  
Deputy County Clerk

**OFFICE OF THE COUNTY CLERK**

COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.mauicounty.gov/county/clerk](http://www.mauicounty.gov/county/clerk)

July 28, 2017

Honorable Riki Hokama, Chair  
Budget and Finance Committee  
Council of the County of Maui  
Wailuku, Hawaii 96793

Dear Chair Hokama:

By letter dated July 7, 2017 (County Communication No. 17-273), the Director of Finance transmitted 77 contracts/grants for filing with the County Clerk.

At the July 28, 2017 Council meeting, the foregoing communication was filed; however, Contract No. C5823-2 was referred to your Committee at your request. Transmitted is a copy of the contract.

Respectfully,

A handwritten signature in black ink that reads "Danny A. Mateo". The signature is written in a cursive style.

DANNY A. MATEO  
County Clerk

/jym

Enclosures

cc: Director of Council Services

## AMENDMENT TO CONTRACT CERTIFICATION

I, **DANILO F. AGSALOG**, Director of Finance of the County of Maui, State of Hawaii, do certify that there is available appropriation or balance of an appropriation over and above all outstanding contracts, sufficient to cover the amount required by the foregoing contract, i.e.

<u>Appropriation Index</u>	<u>Title</u>	<u>Amount Required</u>
<u>904015C</u>	<u>IT SERVICES (7032)</u>	<u>\$1,065,408.00</u>


Contract No. C 5823 TYLER TECHNOLOGIES, INC.

Amendment No. 2 Dated:

Dated this 1 day of JUNE 2017

Extension of Contract to: No Time Extension

Original Amount	\$ 1,000,000.00
Prior Amends/CO	\$ 1,966,170.00
This Amendment	<u>\$ 1,065,408.00</u>
Total contract	<u>\$ 4,031,578.00</u>



DANILO F. AGSALOG  
Director of Finance

MAPPS - Maui's Automated Planning  
and Permitting System for MGMT  
RFP #14-15/P-20  
ORDINANCE NO. 4334 (FY2017)

FY 2017

jh

*1711*  
*on 4/7 86617*

*6/8/17*

## **AMENDMENT NO. 2 TO CONTRACT NO. C5823**

Department: Department of Management – IT Services Division  
Project Title: MAPPS - Maui's Automated Planning and Permitting System  
RFP No.: 14-15/P-20  
Additional Certification Requested from County: \$1,065,408.00

This AMENDMENT NO. 2 TO CONTRACT is made and entered into by and between the COUNTY OF MAUI, a political subdivision of the State of Hawaii, whose business address is 200 South High Street, Wailuku, Maui, Hawaii 96793, hereinafter referred to as the "County", and TYLER TECHNOLOGIES, INC., a Delaware corporation, whose mailing address is 5519 53<sup>rd</sup> Street, Lubbock, Texas 79414, hereinafter referred to as the "Contractor". County and Contractor shall hereinafter be referred to collectively as the "Parties".

Source of Funds. The source(s) and availability of the funds for this Contract shall be as set forth in the Contract Certification signed by the Director of Finance of the County of Maui on or before the effective date of this Contract. Contract Certification shall be on file in the office of the Director of Finance of the County of Maui.

### **RECITALS:**

1. WHEREAS, the County and the Contractor entered into the following Contract and Amendment(s), if any, with certified availability of funds in the amount indicated and time of performance as indicated:

**AMENDMENT NO. 2 TO CONTRACT NO. C5823**

<b>CONTRACT OR AMENDMENT NO.</b>	<b>DATE</b>	<b>ADDITIONAL CERTIFIED AMOUNT</b>	<b>TOTAL CERTIFIED AMOUNT</b>	<b>TIME OF PERFORMANCE/EXTENSION</b>	<b>RENEWAL OPTION FOR MULTI TERM CONTRACT</b>
C5823	06/30/2015	NOT APPLICABLE	\$1,000,000.00		None
Amend 1	06/30/2016	\$1,966,170.00	\$2,966,170.00	06/30/2015 – 12/31/2018	None

2. WHEREAS, the Contract and any Amendment(s) thereto listed above shall be hereafter collectively referred to as "Contract"; and

3. WHEREAS, the Contract is on file with the Director of Finance; and

4. WHEREAS, the Parties now desire to amend the Contract.

NOW, THEREFORE, the Parties mutually agree to amend the Contract as follows:

1. This Amendment shall be governed by and construed in accordance with the terms and conditions of the Agreement, as amended.

2. The total not-to-exceed amount as stated in Amendment No. 1 to Contract No. C5823 is hereby increased by the amount of additional certification requested as set forth hereinabove, subject to appropriation and inclusive of all taxes. The fee or compensation schedule as set forth in the May 2017 updated version of Exhibit B ("Invoicing and Payment Policy – UPDATED2"), is hereby substituted for, and shall supersede, the most recently updated version of Exhibit B. A copy of the May 2017 updated version of Exhibit B ("Invoicing and Payment Policy – UPDATED 2") is

**AMENDMENT NO. 2 TO CONTRACT NO. C5823**

maintained and on file in the office of the Director of Finance of the County of Maui and incorporated herein by reference and hereby made a part of the Contract.

The entire Contract, as amended herein, shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties execute this Amendment by their signatures, on the dates below, to be effective as of the date of last signature hereto.

**[EXECUTION PAGES TO FOLLOW]**


**[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]**

**AMENDMENT NO. 2 TO CONTRACT NO. C5823**

**CONTRACTOR EXECUTION PAGE**

I hereby represent and warrant that I have the legal right and authority to execute this Contract on behalf of the Contractor.

TYLER TECHNOLOGIES, INC.

By   
(Signature)  
Abby Diaz  
(Print Name)  
Its Chief Legal Officer  
(Title)  
Date May 22, 2017

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AMENDMENT NO. 2 TO CONTRACT NO. C5823

STATE OF Maine )  
County of Cumberland ) SS.

On this 20<sup>th</sup> day of May, 2017, before me personally appeared Abby Diaz, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

[Stamp or Seal]

Notary Public, State of Maine

Print Name: Andrea L. Fravert

My commission expires: June 1, 2022

NOTARY PUBLIC CERTIFICATION	
Doc. Date: <u>May 22, 2017</u>	# Pages: <u>7</u>
Notary Name: <u>Andrea L. Fravert</u>	Judicial Circuit: <u>Cumberland</u>
Doc. Description: <u>Amendment No. 2 to</u> <u>Contract No. C5823</u>	
[Stamp or Seal]	
Notary Signature: <u>Andrea L. Fravert</u>	
Date: <u>May 22, 2017</u>	

AMENDMENT NO. 2 TO CONTRACT NO. C5823

COUNTY EXECUTION PAGE

COUNTY OF MAUI

By 

DANILO F. AGSALOG  
Its Director of Finance

Date JUN 08 2017

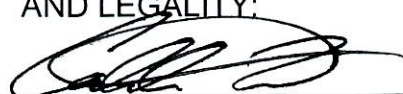
REVIEWED AND APPROVED:



JACOB W. VERKERKE  
Chief Technology Officer  
Department of Management –  
IT Service Division

Date MAY 25 2017

APPROVED AS TO FORM  
AND LEGALITY:



CALEB P. ROWE  
Deputy Corporation Counsel  
County of Maui

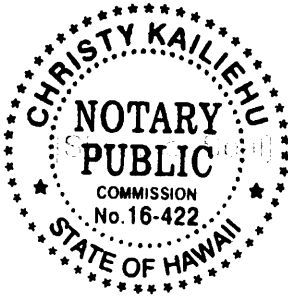
Date 5/26/17

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STATE OF HAWAII                    )  
COUNTY OF MAUI                    )                    ) SS.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



*Christy Kailiehu*  
 Notary Public, State of Hawaii  
**CHRISTY KAILIEHU**  
 Print Name: \_\_\_\_\_  
 NOV 27 2020  
 My commission expires: \_\_\_\_\_

NOTARY PUBLIC CERTIFICATION		
Doc. Date:	<u>JUN 08 2017</u>	# Pages: <u>7</u>
Notary Name:	<u>CHRISTY KAILIEHU</u>	Judicial Circuit: <u>2nd</u>
Doc. Description:	<u>Amendment No. 2 to</u> <u>Contract No. C5823</u>	
Notary Signature:	<u>Christy Kailiehu</u>	
Date:	<u>JUN 08 2017</u>	