

Third Amendment to the Granicus Service Agreement between Granicus, LLC and Everett, WA

This Third Amendment to the Granicus, LLC Service Agreement is effective on the date this document is signed and entered into by and between Granicus, LLC, a Minnesota Limited Liability Company d/b/a Granicus (hereinafter referred to as "Granicus"), and Everett, WA (hereinafter referred to as "Client"), with reference to the following:

WHEREAS, the Client and Granicus entered into an Agreement effective 21 Apr 2009 (the "Agreement"); and

WHEREAS, the Client and Granicus wish to extend the Agreement through 31 Mar 2027 and add a limitation of liability; and

NOW, THEREFORE, in consideration of the premises, the parties intend that the Agreement be amended as follows:

1. The Agreement shall be extended through 31 Mar 2027.
2. NOTWITHSTANDING ANY OTHER PROVISION OF THE AGREEMENT, IN NO INSTANCE SHALL EITHER PARTY'S LIABILITY TO THE OTHER PARTY FOR DIRECT DAMAGES UNDER THIS AGREEMENT (WHETHER IN CONTRACT OR TORT OR OTHERWISE) EXCEED THE FEES PAID BY CLIENT FOR THE GRANICUS PRODUCTS AND SERVICES DURING THE SIX (6) MONTHS IMMEDIATELY PRECEDING THE DATE THE DAMAGED PARTY NOTIFIES THE OTHER PARTY IN WRITING OF THE CLAIM FOR DIRECT DAMAGES. GRANICUS SHALL NOT BE RESPONSIBLE FOR ANY LOST PROFITS OR OTHER DAMAGES, INCLUDING INDIRECT, INCIDENTAL, SPECIAL, CONSEQUENTIAL OR ANY OTHER DAMAGES, HOWEVER CAUSED.
3. Except as amended by this Third Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.
4. In the event of any inconsistency between the provisions of this Third Amendment and the documents comprising the Agreement, the provisions of this Third Amendment shall prevail.

IN WITNESS WHEREOF, the parties have caused this Third Amendment to be executed by their duly authorized representatives.

Agreement and Acceptance

By signing this document, the undersigned certifies they have authority to enter the agreement. The undersigned also understands the services and terms.

Everett, WASignature: 

Name: Cassie Franklin

Title: Mayor

Date: 06/20/2024

GranicusSignature: 

Name: Bernadette Foley

Title: Senior Manager, Renewals

Date: 06/18/2024


APPROVED AS TO FORM
OFFICE OF THE CITY ATTORNEYAttest:

Office of the City Clerk

Exhibit A

ORDER DETAILS

Prepared By: Sophia Rasmussen
Phone:
Email: sophia.rasmussen@granicus.com
Order #: Q-328806
Prepared On: 07 May 2024
Expires On: 31 Mar 2024

ORDER TERMS

Currency: USD
Payment Terms: Net 30 (Payments for subscriptions are due at the beginning of the period of performance.)
Current Subscription End Date: 31 Mar 2024
Initial Order Term End Date: 31 Mar 2027
Period of Performance: 01 Apr 2024 - 31 Mar 2025

PRICING SUMMARY

The pricing and terms within this Proposal are specific to the products and volumes contained within this Proposal.

Renewing Subscription Fees			
Solution	Billing Frequency	Quantity/Unit	Annual Fee
Open Platform Suite	Annual	1 Each	\$0.00
Granicus Encoding Appliance Software (GT)	Annual	1 Each	\$4,121.64
Government Transparency Suite	Annual	1 Each	\$14,589.92
SUBTOTAL:			\$18,711.56

FUTURE YEAR PRICING

Solution(s)	Period of Performance	
	01 Apr 2025 - 31 Mar 2026	01 Apr 2026 - 31 Mar 2027
Open Platform Suite	\$0.00	\$0.00
Granicus Encoding Appliance Software (GT)	\$4,410.15	\$4,718.87
Government Transparency Suite	\$15,611.21	\$16,704.00
SUBTOTAL:	\$20,021.36	\$21,422.87

PRODUCT DESCRIPTIONS

Solution	Description
Open Platform Suite	Open Platform is access to MediaManager, upload of archives, ability to post agendas/documents, and index of archives. These are able to be published and accessible through a searchable viewpage.
Granicus Encoding Appliance Software (GT)	Granicus Encoding Appliance Software (GT) This includes the LiveManager Software solution where webcasts are started/stopped, agendas amended and indexed, votes and attendance recorded, and minutes created.
Government Transparency Suite	Government Transparency are the live in-meeting functions. Streaming of an event, pushing of documents, and indexing of events.











Amendment 3 of Granicus Service Agreement_06122024_SD


Final Audit Report


2024-06-20


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