

RESOLUTION R-2024-45

**A RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENT # 1 TO AGREEMENT NO. 411 WITH  
MAINTSTAR, INC. FOR ADDITIONAL PERMITTING AND CODE ENFORCEMENT SERVICES AND SUPPORT  
FOR A TOTAL AMOUNT NOT TO EXCEED \$36,414**

**WHEREAS**, the City of Wheaton, Illinois, ("City") is an Illinois Home Rule Municipality pursuant to the provisions of Article VII, Section 6, of the Illinois Constitution of 1970; and as such the City may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the City and MaintStar, Inc. entered into Agreement No. 411, executed on September 6, 2023, in which MaintStar, Inc. agreed to provide Building Permit and Code Software with Optional Services to the City; and

**WHEREAS**, staff requested a cost proposal from Maintstar, Inc. for Additional Permitting and Code Enforcement Services and Support, and upon review, has determined that the proposal received from Maintstar, Inc. totaling \$36,414 meets the City's needs; and

**WHEREAS**, this purchase is not included in the 2024 budget and staff recommend charging it to the General Fund's Building and Code Enforcement Department under the software licenses/maintenance account. There are reserves available in the General Fund to cover this expenditure, and staff will draft a budget amendment accordingly; and

**WHEREAS**, both parties agree to the terms and conditions set forth in Amendment #1; and

**WHEREAS**, the corporate authorities of the City of Wheaton, DuPage County, Illinois find it reasonable and appropriate to enter into Amendment #1 to Agreement No. 411 with MaintStar, Inc. located at 3510 Turtle Creek Blvd, Unit 17B, Dallas, Texas 75219 for Additional Permitting and Code Enforcement Services and Support for a total amount not to exceed \$36,414.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Wheaton, Illinois, that:

The Mayor is hereby authorized to execute, and the City Clerk is hereby directed to attest to City of Wheaton Amendment #1 Agreement No. 411 with MaintStar, Inc. for Additional Permitting and Code Enforcement Services and Support; and that a copy of that certain City of Wheaton Amendment #1 to Agreement No. 411 is on file in the City Clerk's Office and is incorporated herein as if fully set forth as Exhibit A.

**ADOPTED** this 20<sup>th</sup> day of May 2024.

  
Philip J. Sauer  
Mayor

ATTEST:

  
Andrea Rosedale  
City Clerk

**Roll Call Vote:**

Ayes: Councilman Brown  
Mayor Suess  
Councilman Clousing  
Councilwoman Robbins  
Councilman Weller  
Councilman Barbier  
Councilwoman Bray-Parker

Nays: None

Absent: None  
Motion Carried Unanimously

**AMENDMENT #1 TO AGREEMENT #411  
BETWEEN THE CITY OF WHEATON, ILLINOIS  
AND MAINTSTAR**

This Amendment #1 to Agreement #411 (the "Agreement") is entered into as of this 21st day of May 2024 by and between the CITY OF WHEATON, an Illinois municipal corporation ("City"), 303 W. Wesley Street, Wheaton, IL 60187, and MAINTSTAR ("Provider"), located at 1278 Glenneyre Street, Ste 405, Laguna Beach, California 92651. City and Provider are at times collectively referred to hereinafter as the "Parties" and individually as "Party."

**WHEREAS**, the City of Wheaton, Illinois, ("City") is an Illinois home rule municipality pursuant to the provisions of Article VII, Section 6, of the Illinois Constitution of 1970; and as such the City may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the City and Provider entered into Agreement #411, executed on September 6, 2023, in which the Provider agreed to provide Building Permit and Code Software with Optional Services to the City for compensation; and

**WHEREAS**, the City desires to purchase an additional service from the Provider and the Parties have determined that is for their mutual benefit to enter this Amendment #1 to Agreement #411.

**NOW, THEREFORE**, in consideration of the agreements contained in this instrument and such other sufficient considerations, Agreement #411 between the City, and the Provider, which was executed by the parties on September 6, 2023, is hereby amended by mutual agreement as follows:

1. The recitals set forth above are incorporated herein as substantive terms and conditions of Amendment #1 to Agreement #411 and represent the intent of the parties.
2. The Scope shall be amended by adding a Lacity Service Request Portal Set-up, Integration, and Configuration and Annual Support through September 11, 2026.
3. The fees for this additional component total \$36,414 as set forth on the quote attached hereto as Exhibit A.
4. All provisions of Agreement #411 shall remain in full force and effect, except as modified herein by this Amendment #1.
5. In the event of any conflict or inconsistency between the provisions of this Amendment #1 to the Agreement, the provisions of this Amendment #1 shall in all respects govern and control.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment #1 to be executed by their duly authorized representatives as of the date and year written above.

**CITY:**

City of Wheaton

By: Philip J. Sauer

Mayor

Attest: Andrea Rosedale

City Clerk

Date: 5/21/2024

**PROVIDER:**

MaintStar

By: Sergey Poretsky

Date: April 29, 2024

Title: Vice President of Sales

Attest: Sergey Poretsky

Dmitry Poretsky, CEO

## EXHIBIT A

MAINTSTAR

1278 Glenneyre Street, Ste 405  
Laguna Beach, CA 92651  
[eric@maintstar.com](mailto:eric@maintstar.com)  
(800) 255-5675

Date: April 23rd 2024  
Quote# 45321  
Expiration Date: 120 Days

To: Brandon Kowalke  
City of Wheaton

Wheaton, IL  
630.260.2064  
[bkowalke@wheaton.il.us](mailto:bkowalke@wheaton.il.us)

Salesperson	Job		Payment Terms	Due Date
Eric			Due on receipt	

Quotation prepared by:

This is a quotation on the goods named, subject to the conditions noted below:  
(Describe any conditions pertaining to these prices and any additional terms of the agreement.  
You may want to include contingencies that will affect the quotation.)

To accept this quotation, sign here and return:

### Total Discount

Subtotal \$ 36,414.00

## Sales Tax

Total \$ 36,414.00

Thank you for your business!