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February 27, 2023

Board of Directors
 Triunfo Water & Sanitation District
 Ventura County, California

CUSTOMERS ON-LINE PAYMENT OPTION – PAYMENTUS, AMENDMENT #4

Summary

Triunfo Water & Sanitation District (District) contracts with Paymentus for online bill payment services. Staff recently negotiated an update to their service agreement which resulted in lower customer transaction fees and allows for tenant improvement deposits and related administrative fees to be paid online. District staff has explored other similar services providers and based on Paymentus not requiring upfront fees or having any additional costs, is still the District’s best option.

Legal Counsel has reviewed the Paymentus, Amendment 4 to the Master Service Agreement. If you have questions, please contact me at (805) 658-4649 or vickiedragan@trunfowsd.com.

Fiscal Impact

Fiscal impacts will be determined by customer’s level of usage. However, because of the lower transaction fees and the increase in the amount per transaction, the District cost will be lower.

The Paymentus Service Fee per transaction comparison for the potable water customers is as follows:

Potable Water Customers	Current	New	
Credit/Debit Card	\$2.50	\$2.25	Mastercard, VISA
ACH/eCheck	\$1.50	\$1.25	
E-bill	\$450	\$450	Monthly and optional
Maximum amount per payment	\$300	\$1,200	Multiple payments can be made
Non-utility rate qualified cards	3.50%	2.65%	Corporate/business, rewards cards, etc.


Recommendation

Staff is recommending that the Board authorize the Chair to sign the Paymentus Amendment 4 to the Master Services Agreement.

Vickie Dragan

VICKIE DRAGAN – DIRECTOR OF FINANCE

REVIEWED AND APPROVED



MARK NORRIS – GENERAL MANAGER

Attachment: Paymentus, Amendment 4 to the Master Services Agreement

AMENDMENT NO. 4 TO MASTER SERVICES AGREEMENT EFFECTIVE September 4, 2012.

This Amendment No. 4 (“Amendment”) amends the Master Services Agreement effective as of September 4, 2012 (“Effective Date”) which was modified by Amendment No. 1 dated September 25, 2013, Amendment No. 2 dated July 29, 2019, and Amendment No. 3 dated April 30, 2021 (collectively the “Agreement”) between Triunfo Water and Sanitation District, a California client (“Client”) with a principal place of business located at 370 N. Westlake Blvd., Suite 100, Westlake Village, CA 91362, and Paymentus Corporation, a State of Delaware Corporation with a principal place of business at 11605 N. Community House Road, Suite 300, Charlotte, North Carolina 28277 (“Paymentus”). Client and Paymentus are also referred to as “Party” and collectively as the “Parties.” This Amendment is effective at the time of the last to sign of the Parties.

STATEMENT OF PURPOSE

Client and Paymentus entered into the Agreement for electronic bill payment services;

The Parties currently desire to amend the Agreement to modify the current Paymentus Fees for Utility Bills and add Tenant Improvement/ Sewer Service Permits payment type with their corresponding fees, and extend the current term for 3 years with 2 one-year auto-renewal periods.

AGREEMENT

In consideration of mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Client and Paymentus agree as follows:

1. **Amendment.** The Agreement is hereby amended as of the Effective Date of this Amendment as follows:
 - 1.1 Schedule A - Schedule A – Paymentus Service Fee Schedule (“Schedule A”) of the Agreement is hereby deleted and the new Schedule A attached here to is substituted in lieu thereof.
 - 1.2 The parties desire to amend Schedule A of the Agreement reduce the service fees for Utility payments for Credit and Debit Card payments to \$2.25 per transaction, and ACH/eCheck payments to \$1.25 per transaction, and to also increase the maximum payment amount for all payment methods for Utility payments from \$300 to \$1,200
 - 1.3 The parties desire to amend Schedule A of the Agreement to specify Paymentus Service Fees for Tenant Improvement and Sewer Service Permit Payments
 - 1.4 The Parties wish extend the Current Term (“Term”) of the Agreement for an additional 3 years through January 20, 2026. At the end of the Term, this Agreement will automatically renew for two (2) consecutive one (1) year periods unless either Client or Paymentus provide the other party with not less than six (6) months prior written notice before such automatic renewal date that such party elects not to automatically renew the term of this Agreement.
2. **Miscellaneous:**
 - 2.1 This Amendment is binding and inures to the benefit of the Parties and their respective successors and assigns.

2.2 All other terms and conditions of the Agreement not modified by this Amendment remain in full force and effect.

2.3 This Amendment may be executed in two or more counterparts, each of which shall be deemed to be an original, but all of which shall constitute one and the same instrument.

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

TRIUNFO WATER & SANITATION DISTRICT

PAYMENTUS CORPORATION

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

SCHEDULE A- PAYMENTUS FEE SCHEDULE
TO THE MASTER SERVICES AGREEMENT
BETWEEN TRIUNFO WATER & SANITATION DISTRICT AND PAYMENTUS
ABSORBED FEE MODEL FOR UTILITY & NON-UTILITY PAYMENTS

The Services will initially consist of those indicated by a check box on the following table. The Paymentus Fee will be as specified below, and will be paid by the Client, unless designated as a User paid fee.

Channel	Channels	Services	Payment Methods & Channels	Paymentus Fee	User Paid Fee
Utility Payments					
<input checked="" type="checkbox"/>	Instant Payment Network™	Ebill Presentment and Customer Engagement	All payment channels and methods offered under IPN such as PayPal, Venmo, PayPal Credit ,Secure PDF Push, Chatbot, Advanced Notification Service (ECM), Text 2 Pay, Voice Assistants, Mobile Apps and others as offered by Payments from time to time	Credit/Debit Card \$2.25 per Qualified Visa, MasterCard, Discover transaction \$1.25 per ACH transaction Non-Qualified Credit/Debit Card 2.65% of the total payment amount volume per Visa, MasterCard, Discover transactions Ebill Monthly Hosting Fee \$450.00 per month ECM/ Outbound Notifications Includes 500 phone, email and text notifications per month at no charge; additional usage will be billed at \$0.10 per message thereafter.	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Direct Payments (Web, IVR, Recurring, Agent Assisted)	Customer Portal, Responsive One Time Payment Portal, e-Bill, Agent Dashboard	Credit, Debit, ACH	Credit/Debit Card \$2.25 per Qualified Visa, MasterCard, Discover transaction \$1.25 per ACH transaction Non-Qualified Credit/Debit Card 2.65% of the total payment amount volume per Visa, MasterCard, Discover transactions	<input type="checkbox"/>

Note: Maximum Amount per Payment is \$1,200.00. Multiple payments can be made.

Chargebacks and returned checks will be billed at \$9.95 per item.

Paymentus may apply different limits per transactions for user adoption or to mitigate risk.

Channel	Channels	Services	Payment Methods & Channels	Paymentus Fee	User Paid Fee
Tenant Improvement/ Sewer Service Permit Payments					
<input type="checkbox"/>	Instant Payment Network™	Ebill Presentment and Customer Engagement	All payment channels and methods offered under IPN such as PayPal, Venmo, PayPal Credit ,Secure PDF Push, Chatbot, Advanced Notification Service (ECM), Text 2 Pay, Voice Assistants, Mobile Apps and others as offered by Payments from time to time	Credit/Debit Card 2.95% of total payment amount or \$1 , whichever is greater, per Visa, MasterCard, Discover transaction \$1.25 per ACH transaction	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Direct Payments (Web, IVR, Recurring, Agent Assisted)	Customer Portal, Responsive One Time Payment Portal, e-Bill, Agent Dashboard	Credit, Debit, ACH	Credit/Debit Card 2.95% of total payment amount or \$1 , whichever is greater, per Visa, MasterCard, Discover transaction \$1.25 per ACH transaction	<input checked="" type="checkbox"/>

Note: Maximum Amount per Payment is \$2,000.00. Multiple payments can be made.

Chargebacks and returned checks will be billed at \$9.95 per item.

Paymentus may apply different limits per transactions for user adoption or to mitigate risk.