

STATE OF TEXAS

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COUNTY OF FORT BEND

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FOURTH ADDENDUM TO SOFTWARE LICENSE AND SERVICE AGREEMENT

THIS FOURTH ADDENDUM (the "Fourth Addendum") is by and between Codex Corporation d/b/a GUARDIAN RFID, a Minnesota corporation ("GUARDIAN RFID"), and Fort Bend County, a body corporate and politic under the laws of the state of Texas ("County").

WHEREAS, GUARDIAN RFID and County previously executed the Addendum to Guardian RFID Software License Agreement, effective June 2, 2015; the Second Addendum, effective November 9, 2015; and the Third Addendum, effective February 23, 2016 (collectively referred to as the "Agreement") and attached hereto as "Exhibit 1" and incorporated by reference.

WHEREAS, the County desires to purchase 20 additional BIP-6000-AS mobile devices, holsters and licenses (the "Mobile Devices") as well as engage GUARDIAN RFID's services to development a custom software reporting module for the GUARDIAN RFID software as detailed in the quote and Headcount Dashboard and Report Statement of Work attached as Exhibit 2.

NOW THEREFORE, the Parties agree as follows:

1. **Payment.** Payment shall be made by County as specified in the payment schedule below and the costs associated under this Fourth Addendum shall be allocated as follows:
Sheriff's Commissary Fund:

- Upon execution (Invoice 1) = \$34,580
- Upon acceptance of Mobile Devices by the Sheriff's Office (Invoice 2) = \$17,290.00
- Upon acceptance of the software by Sheriff's Office (Invoice 3) = \$17,290.00

County General Fund:

- 2018 System Renewal Fee = \$32,873.80
- 2019 System Renewal Fee = \$35,325.00

1. REVISIONS TO SCHEDULE B OF THE ADDENDUM

(a) System Renewal Fee (Maintenance, Support, and Software Updates). The section entitled "System Renewal Fee (Maintenance, Support, and Software Updates)" in "Schedule B: Pricing Detail" of the Addendum is hereby removed and restated in its entirety as follows:

System Renewal Fee (Maintenance, Support, and Software Updates)

The System Renewal Fee (SRF) is due one-year from the anniversary of your Go-Live date.

FY 2018 SRF	\$32,873.80
FY 2019 SRF	\$35,325.00

These amounts do not include any taxes. County is a body corporate and politic under the laws of the State of Texas and claims exemption from sales and use taxes. A copy of a tax-exempt certificate will be furnished upon request.

Annual support will not increase more than 3.5% annually.

- (b) System Price & Payment Schedule. The section entitled "System Price & Payment Schedule" in "Schedule B: Pricing Detail" of the Agreement is hereby removed and restated in its entirety as follows:

System Price & Payment Schedule

The total amount of this contract is \$420,272.58. The amounts due under this contract are as follows:

Milestone	Expected Payment Date	Amount Due
Upon contract execution	PAID	\$74,907.50
Upon shipment of Mobile Devices	PAID	\$54,627.54
Upon Go-Live	PAID	\$124,342.54
Upon Contract Execution (Exhibit 2)	Upon execution	\$34,580.00
Shipment of 20 Mobile Devices	Upon acceptance by SO	\$17,920.00
Shipment of Software	Upon acceptance by SO	\$17,920.00
2017 System Renewal Fee	1 year after Go-Live PAID	\$28,325.00
2018 System Renewal Fee	2 years after Go-Live	\$32,873.80
2019 System Renewal Fee	3 year after Go-Live	\$35,325.00
Total		\$420,821.38

These amounts do not include any taxes. County is a body corporate and politic under the laws of the State of Texas and claims exemption from sales and use taxes. A copy of a tax-exempt certificate will be furnished upon request.

2. REVISIONS TO SCHEDULE C OF THE ADDEDNUM

The chart immediately following the heading "Level 4 / Fort Bend County Detention Center | Forecasted System Renewal Fee" contained in the section entitled "System Price & Payment Schedule" in "Schedule C: Proposal" of the Addendum is hereby removed and restated in its entirety as follows:


Year 2 SRF	Qty	Flat-Rate Fee/yr
GUARDIAN RFID OnDemand	1	\$2,000.00
GUARDIAN RFID Mobile (\$350.00/license/yr)	72	\$24,500.00
GUARDIAN RFID Mobile (\$29.16/license/month) for 9 months	20	\$5,248.80
Facilities Manager PowerTool	1	\$0.00
Active Directory Interface	1	\$625.00
Compliance Monitor Power Tool	1	\$500.00
Total		\$32,873.80
Year 3 SRF	Qty	Flat-Rate Fee/yr
GUARDIAN RFID OnDemand	1	\$2,000.00
GUARDIAN RFID Mobile (@ \$350.00/license/yr)	92	\$32,200.00
Facilities Manager PowerTool	1	\$0.00
Active Directory Interface	1	\$625.00
Compliance Monitor Power Tool	1	\$500.00
Total		\$35,325.00

3. EFFECT OF FOURTH ADDENDUM

Except as set forth in this Fourth Addendum, the Addendum is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this Fourth Addendum and the Addendum or any earlier amendment, the terms of this Fourth Addendum will prevail.

By signing below, GUARDIAN RFID and the County each agrees to the terms and conditions of this Fourth Addendum and acknowledges the existence of consideration.

GUARDIAN RFID

By: 
Name: Brett Wilmeth
Title: Vice President
Date: 05/04/2017


FORT BEND COUNTY

By: _____
Name: Robert E. Hebert
Title: County Judge
Date: _____

ATTEST:

By: _____
Name: Laura Richard
Title: County Clerk

Reviewed:

By: 
Troy E. Nehls,
Fort Bend County Sheriff

5-4-2017
Date

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ _____ to accomplish and pay the obligation of Fort Bend County under this contract.

Robert Edward Sturdivant, County Auditor