

ADDENDUM TO FORT BEND COUNTY – PIER SYSTEMS, INC. CUSTOMER AGREEMENT

This Addendum to PIER Standard Customer Agreement (the "Addendum") is entered into by and between Fort Bend County, a body corporate and politic under the laws of the State of Texas, located at 401 Jackson St., Richmond, TX 77469 ("Customer") and Witt O'Brien's, LLC, located at 818 Town & Country Blvd., Houston, TX 77024 ("Provider"). Customer and Provider are referred to collectively herein as the "Parties."

WHEREAS, On January 8, 2008, the Parties entered into a PIER Standard Customer Agreement, Fully Paid Subscription (including any amendments and service orders issued pursuant thereto; (the "Agreement") whereby Provider agreed to provide Customer with certain services (the "Services"); and

WHEREAS, the Parties desire to amend and modify the Agreement, as provided herein.

NOW, THEREFORE, in consideration of the mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby mutually covenant and agree that the Agreement is amended and modified as follows:

1. The Agreement shall terminate on March 31, 2017 (the "Termination Date"). The Services shall thereafter terminate, including Customer's PIER™ access and services for all of Customer's PIER™ users.
2. Notwithstanding anything to the contrary in the Agreement, and subject to Section 5 of this Addendum, all Customer data will be permanently deleted upon the Termination Date.
3. Customer shall be charged the annual Subscription Fee on a prorated basis through the Termination Date. Customer will be refunded the remaining portion of the annual Subscription Fee that Customer has already paid minus the prorated amount through the Termination Date.
4. Capitalized terms used herein but not defined shall have the meaning assigned in the Agreement. Except as expressly modified or amended herein, all other terms and conditions in the Agreement shall remain in full force and effect.
5. Data retention, transfer and destruction – Witt O'Brien's will provide a mechanism to archive PIER customer specific data and transfer the data to the customer in an industry standard format. Any destruction of customer data will be completed no later than 30 days after receipt of written authorization from the customer, including written confirmation of receipt of the transferred data in acceptable form.

IN WITNESS WHEREOF, the Parties have executed this Addendum by their duly authorized representatives as of the day and year first above written.

FORT BEND COUNTY

By: _____

Name: Robert E. Hebert

Title: County Judge

Date: 2-7-17

ATTEST:

Laura Richard
Laura Richard, County Clerk

WITT O'BRIEN'S, LLC

By: _____

Name: Greg Fenton

Title: COO

Date: 1.19.17



CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

**OFFICE USE ONLY
CERTIFICATION OF FILING**

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.
Witt O'Brien's, LLC
Washington, DC, DC United States

Certificate Number:
2017-161170

Date Filed:
02/01/2017

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.
Fort Bend County

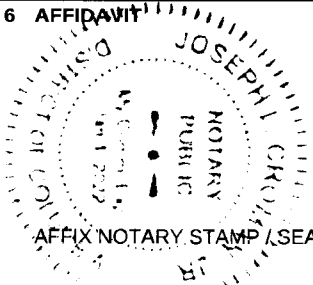
Date Acknowledged:

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.
RFP 06-062
Addendum to Agreement

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.

6 AFFIDAVIT I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



Elizabeth Apple, Controller
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP (SEAL) ABOVE

Sworn to and subscribed before me, by the said Elizabeth Apple, this the 3rd day of February, 20 17, to certify which, witness my hand and seal of office.

Joseph L. Croman Jr. Signature of officer administering oath
Joseph L. CROMAN, JR. Printed name of officer administering oath
NOTARY PUBLIC Title of officer administering oath

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

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2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.
Fort Bend County

Date Acknowledged:
02/07/2017

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.
RFP 06-062
Addendum to Agreement

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.

6 AFFIDAVIT I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said _____, this the _____ day of _____, 20_____, to certify which, witness my hand and seal of office.

Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath