

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:

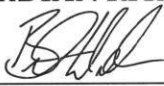
Year 2 SRF	Qty	Flat-Rate Fee/yr
GUARDIAN RFID OnDemand	1	\$2,000.00
GUARDIAN RFID Mobile (\$350.00/license/yr)	72	\$24,500.00
GUARDIAN RFID Mobile (\$29.16/license/month) for 9 months	20	\$5,248.80
Facilities Manager PowerTool	1	\$0.00
Active Directory Interface	1	\$625.00
Compliance Monitor Power Tool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

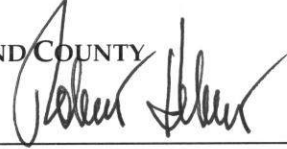
Except as set forth in this Fourth Addendum, the Addendum is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this Fourth Addendum and the Addendum or any earlier amendment, the terms of this Fourth Addendum will prevail.

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: 5-23-2017

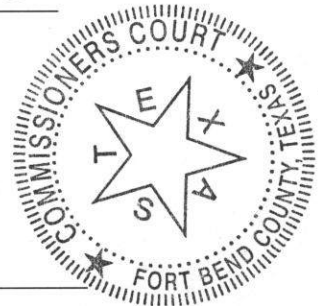
ATTEST:

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 \$ 420,821.38 to accomplish and pay the obligation of Fort Bend County under this contract.


Robert Edward Sturdivant, County Auditor

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

Certificate Number:
2017-203866

Date Filed:
05/08/2017

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Guardian RFID
Maple Grove, MN United States

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

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 15-035
Guardian RFID Inmate Management Software and Hardware

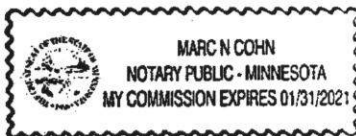
4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

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]
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Kenneth Dally, this the 18th day of May, 2017, to certify which, witness my hand and seal of office.

[Signature]

Signature of officer administering oath

Marc N Cohn

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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Guardian RFID
Maple Grove, MN United States

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Fort Bend County

Date Acknowledged:
05/23/2017

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RFP 15-035
Guardian RFID Inmate Management Software and Hardware

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