

SECOND AMENDMENT TO AGREEMENT

THIS SECOND AMENDMENT TO AGREEMENT (hereinafter "Second Amendment") is made and entered into this 6th day of March, 2018, by and between COUNTY OF FRESNO, a Political Subdivision of the State of California, (hereinafter "COUNTY"), and Siemens Industry, Inc., a Delaware corporation, whose address is 4273 West Richert Avenue, Suite 110, Fresno, CA 93722 (hereinafter "CONTRACTOR").

WITNESSETH:

WHEREAS, COUNTY and CONTRACTOR entered into Agreement number 13-738, dated 10th day of December, 2013 (hereinafter "Agreement"), pursuant to which CONTRACTOR agreed to perform fire and life safety, security, Master Antenna Television (MATV) and pneumatic systems maintenance and repair at various jail facilities and the Sheriff-Coroner's Administrative Building; and

WHEREAS, COUNTY and CONTRACTOR amended the Agreement on December 6, 2016, to increase the additional services annual maximum for calendar year 2017 to \$150,000; and

WHEREAS, COUNTY and CONTRACTOR now desire to amend the Agreement as amended, including Exhibit C attached thereto, in order to increase the Additional Services annual maximum for calendar year 2018 to \$246,000 and to clarify the terms in the Agreement as amended.

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, COUNTY and CONTRACTOR agree to amend the Agreement and Exhibit C, which is attached to the Agreement, as follows:

1. Section Five (5) (COMPENSATION/INVOICING) of the Agreement, Page Fifteen (15), lines One (1) through Seven (7) are deleted in their entirety and

1 replaced with the following:

2 "With the exception of Additional Services, in no event shall services performed
3 under the two (2) one (1)-year renewals (January 1, 2017 through December 31,
4 2018) be in excess of \$332,904 annually and \$665,808 cumulatively. In no event
5 shall Additional Services under section 1.J.xv. of this Agreement during the two
6 (2) one (1)-year renewals (January 1, 2017 through December 31, 2018) be in
7 excess of \$150,000 the first year from January 1, 2017 through December 31,
8 2017 and \$246,000 during the second year from January 1, 2018 through
9 December 31, 2018. It is understood that all expenses incidental to
10 CONTRACTOR's performance of services under this Agreement shall be borne
11 by CONTRACTOR."

- 12 2. Exhibit C (COST BREAKDOWN), of the Agreement, Page twenty-one (21), lines
13 one (1) through twenty-eight (28), is deleted in its entirety, and replaced with
14 Exhibit C-1, which is attached hereto.

15 COUNTY and CONTRACTOR agree that this Second Amendment, including Exhibit C-
16 1, is sufficient to amend the Agreement as amended and, that upon execution of this Second
17 Amendment, including Exhibit C-1, the Agreement as amended and this Second Amendment,
18 including Exhibit C-1, together shall be considered the Agreement.

19 The Agreement, as hereby amended, is ratified and continued. All provisions, terms,
20 covenants, conditions and promises contained in the Agreement and not amended herein
21 shall remain in full force and effect.

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Siemens Industry, Inc. Agreement

EXHIBIT C-1

COST BREAKDOWN

Monthly Base Cost for Each Facility

Main Jail	1225 "M" Street, Fresno, CA 93721	\$9,432
South Annex Jail	2280 Fresno Street, Fresno, CA 93721	\$6,381
North Annex Jail	1265 "M" Street, Fresno, CA 93721	\$7,213
Satellite Jail	110 "M" Streets, Fresno, CA 93721	\$2,219
Sheriff's Admin	2200 Fresno Street, Fresno, CA 93721	\$2,497
Monthly-Total		<u>\$27,742</u>

Annual Total Cost for Each Facility

Main Jail	1225 "M" Street, Fresno, CA 93721	\$113,184
South Annex Jail	2280 Fresno Street, Fresno, CA 93721	\$76,572
North Annex Jail	1265 "M" Street, Fresno, CA 93721	\$86,556
Satellite Jail	110 "M" Streets, Fresno, CA 93721	\$26,628
Sheriff's Admin	2200 Fresno Street, Fresno, CA 93721	\$29,964
Additional Services		\$50,000
Yearly Total		<u>\$382,904</u>

Grand Total Cost for 3 Year Period

Main Jail	1225 "M" Street, Fresno, CA 93721	\$339,552
South Annex Jail	2280 Fresno Street, Fresno, CA 93721	\$229,716
North Annex Jail	1265 "M" Street, Fresno, CA 93721	\$259,668
Satellite Jail	110 "M" Streets, Fresno, CA 93721	\$79,884
Sheriff's Admin	2200 Fresno Street, Fresno, CA 93721	\$89,892
Additional Services		\$150,000
Three Year Total		<u>\$1,148,712</u>

1 **Annual Total Cost for Each Facility for First Renewal Period**

2 **(January 1, 2017, through December 31, 2017)**

3	Main Jail	1225 "M" Street, Fresno, CA 93721	\$113,184
4	South Annex Jail	2280 Fresno Street, Fresno, CA 93721	\$76,572
5	North Annex Jail	1265 "M" Street, Fresno, CA 93721	\$86,556
6	Satellite Jail	110 "M" Streets, Fresno, CA 93721	\$26,628
7	Sheriff's Admin	2200 Fresno Street, Fresno, CA 93721	\$29,964
8	Additional Services		\$150,000
9	Yearly Total		<u>\$482,904</u>

10 **Annual Total Cost for Each Facility for Second Renewal Period**

11 **(January 1, 2018, through December 31, 2018)**

12	Main Jail	1225 "M" Street, Fresno, CA 93721	\$113,184
13	South Annex Jail	2280 Fresno Street, Fresno, CA 93721	\$76,572
14	North Annex Jail	1265 "M" Street, Fresno, CA 93721	\$86,556
15	Satellite Jail	110 "M" Streets, Fresno, CA 93721	\$26,628
16	Sheriff's Admin	2200 Fresno Street, Fresno, CA 93721	\$29,964
17	Additional Services		\$246,000
18	Yearly Total		<u>\$578,904</u>

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