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AMENDMENT NO. 1 TO SERVICE AGREEMENT

This Amendment No. 1 to Service Agreement (“Amendment No. 1”) is dated December 12, 2023 and is between Siemens Industry, Inc., a Delaware corporation (“Contractor”), and the County of Fresno, a political subdivision of the State of California (“County”).

Recitals

A. On November 8, 2022, the County and the Contractor entered into County agreement number A-22-512 (“Current Agreement”), for upgrades to portions of the Fresno County Main Jail (“Main Jail”) control system to ensure that functionality matches with the West Annex addition to the Jail (“West Annex”).

B. These upgrades are separate from the services provided by this same Contractor in County agreement number A-18-681 (2018 Agreement)”, which include the maintenance and repair of fire and life safety security, and Master Antenna Television (MATV) and pneumatic systems maintenance and repair to both the Main Jail and West Annex.

C. The Contractor has initiated the upgrades as detailed in the Current Agreement, however, due to supply chain delays related to the Covid-19 pandemic, the now anticipated completion date falls outside of the current Agreement term which ends on December 31, 2023.

D. The County and the Contractor now desire to amend the Current Agreement, to extend the term of the Agreement through project completion, with no change to the total compensation or scope of work.

The parties therefore agree as follows:

1. Section 4.1 Term of the Agreement located at page 4, lines 5 through 6, is deleted in its entirety and replaced with the following:

“Term. This Agreement begins on the Effective Date and terminates upon project completion, but not past June 30, 2025, except as provided in Article 6, “Termination and Suspension,” below.”

2. Section 12.11 Entire Agreement of the Agreement located at page 11, lines 27 and 28, through page 12, lines 1 through 6, is deleted and replaced with the following:

1 “This Agreement constitutes the entire Agreement between the Contractor and
2 the County with respect to the subject matter hereof and supersedes all previous
3 Agreement negotiations, proposals, commitments, writings, advertisements,
4 publications, and understandings of any nature whatsoever unless expressly
5 included in this Agreement. In the event of any inconsistency in interpreting the
6 documents which constitute this Agreement, the inconsistency shall be resolved
7 by giving precedence in the following order of priority: (1) the text of this
8 Amendment No. 1; (2) the Agreement including Exhibits A through C and (3)
9 Exhibits A through C.”

10 3. When both parties have signed this Amendment No. 1, the Agreement and this
11 Amendment No. 1 together constitute the Agreement.

12 4. The Contractor represents and warrants to the County that:

- 13 a. The Contractor is duly authorized and empowered to sign and perform its obligations
14 under this Amendment No. 1.
- 15 b. The individual signing this Amendment No. 1 on behalf of the Contractor is duly
16 authorized to do so and his or her signature on this Amendment No. 1 legally binds
17 the Contractor to the terms of this Amendment No. 1.

18 5. The parties agree that this Amendment No. 1 may be executed by electronic signature.

19 6. This Amendment No. 1 may be signed in counterparts, each of which is an original, and
20 all of which together constitute this Amendment No. 1.

21 7. The Agreement as amended by this Amendment No. 1 is ratified and continued. All
22 provisions of the Agreement and not amended by this Amendment No. 1 remain in full force and
23 effect.

24 [SIGNATURE PAGE FOLLOWS]
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1 The parties are signing this Amendment No. 1 on the date stated in the introductory
2 clause.

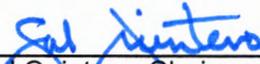
3 SIEMENS INDUSTRY, INC.

COUNTY OF FRESNO

4
5 
6 Daniel (Nov 1, 2023 15:26 PDT)

Danny Garcia Sales Manager

7 653 W. Fallbrook Avenue, Suite 104
8 Fresno, CA 93711

9 
10 Sal Quintero, Chairman of the Board of
11 Supervisors of the County of Fresno

Attest:
Bernice E. Seidel
Clerk of the Board of Supervisors
County of Fresno, State of California

12 By: 
13 Deputy

14 For accounting use only:

15 Org No.: 8935
16 Account No.: 7295
17 Fund No.: 1045
18 Subclass No.: 10000
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