

AMENDMENT NO. 1 TO AGREEMENT BETWEEN
THE COUNTY OF MONTEREY AND CALERO LLC.

WHEREAS, Paetec Software Corporation, a subsidiary of Windstream Corporation (Paetec), , and the County OF Monterey (County)” previously entered into an agreement, No. A-10088 ("Agreement"), dated March 27, 2012, for the provision of Pinnacle Telemanagement Software, including maintenance/ support and database modifications; and

WHEREAS, the, on ___date___ , with the consent of County, Paetec assigned its rights and obligations under the Agreement to Calero, LLC (Contractor);

WHEREAS, the County Board Supervisors authorized the Agreement by order, dated March 27, 2012, including authorization for the Contracts/Purchasing Officer to sign future renewals to the Agreement with the same liability and indemnification provisions as recommended by the Director of Information Technology; and

WHEREAS the Agreement expires on March 31, 2015; and

WHEREAS, County and Contractor wish to amend the Agreement, extending the term by one year from April 1, 2015 through March 31, 2016, and increasing the existing contract amount of \$68,644 by \$17,906; and

NOW THEREFORE,
County and Contractor agree as follows:

1. Section 3, “Term of Agreement,” is amended to state,
“The term of this Agreement is from April 1, 2012 to March 31, 2016, unless sooner terminated pursuant to the terms of this Agreement.”

2. Section 2, “Payments By County” is amended to read as follows:

"The total amount payable by County to Contractor under this Agreement shall not exceed \$86,550."

3. Section 4, “Additional Provisions/Exhibits”: Exhibit A shall be replaced with Exhibit A-1.

. A copy of this Amendment No.1 shall be attached to the original Agreement dated March 27, 2012.

IN WITNESS WHEREOF, the parties have executed this AMENDMENT on the day and year written below.

MONTEREY COUNTY

CONTRACTOR

Contracts/Purchasing Officer

By: _____
Signature of Chair, President, or
Vice-President

Dated: _____

Printed Name and Title

Approved as to Fiscal Provisions:

Dated: _____

Deputy Auditor/Controller

By: _____
(Signature of Secretary, Asst. Secretary, CFO,
Treasurer or Asst. Treasurer)*

Dated: _____

Printed Name and Title

Approved as to Liability Provisions:

Dated: _____

Risk Management

Dated: _____

Approved as to Form:

Deputy County Counsel

Dated: _____

*INSTRUCTIONS: If CONTRACTOR is a corporation, including limited liability and non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two specified officers. If CONTRACTOR is a partnership, the name of the partnership shall be set forth above together with the signature of a partner who has authority to execute this Agreement on behalf of the partnership. If CONTRACTOR is contracting in an individual capacity, the individual shall set forth the name of the business, if any, and shall personally sign the Agreement.

NOTE TO COUNTY STAFF: The revised Exhibit A1 needs to also be attached using the same footer and page numbering as in this Amendment