

**AMENDMENT NO. 1 TO AGREEMENT A-14748
COUNTY OF MONTEREY &
NETSMART TECHNOLOGIES, INC.**

THIS AMENDMENT No. 1 is made to the AGREEMENT A-14748 by and between the **County of Monterey**, a political subdivision of the State of California (hereinafter referred to as "COUNTY") and **Netsmart Technologies, Inc.**, (hereinafter referred to as CONTRACTOR).

WHEREAS the COUNTY entered into an Agreement A-14748 with Netsmart Technologies, Inc. in the amount of \$3,227,849 for the term of July 1, 2020 to June 30, 2023 for implementation of the Electronic Medical Record system and professional/technical consulting services; and

WHEREAS the COUNTY and CONTRACTOR hereby request Amendment No. 1 to amend Agreement A-14748 by with revised SCHEDULE A-1 CHARGES AND PAYMENT TERMS. This Amendment extending the term by three (3) years and increases the total amount of the Agreement by \$3,639,740, for Fiscal Year (FY) 2023-24 (\$1,096,580.), FY 2024-25 (\$1,096,580), and FY 2025-26 (\$1,096,580) for the provision of Avatar Electronic Health Record system for Licensed Software Maintenance and Support, Software License Subscription, and Hosting Services, and Additional Professional and or Technical Consulting Services or Additional Licensing & Optional Services on an "as-needed" and "as-approved" basis (July 1, 2023 to June 30, 2026, \$350,000). Amendment No. 1 increases the total Agreement amount by \$3,639,740, for a total revised Agreement amount of \$6,867,589 for the term of July 1, 2020 to June 30, 2026.

NOW THEREFORE, the County and CONTRACTOR hereby agree to amend the AGREEMENT A-14748 in the following manner:

1. Schedule A-1: Charges and Payment Terms for FY 2023-24 through FY 2025-26 revises Schedule A. All references in the Agreement to Schedule A shall be construed to refer and include Schedule A-1.
2. Except as provided herein, all remaining terms, conditions and provisions of the AGREEMENT A-14748 are unchanged and unaffected by this AMENDMENT and shall continue in full force and effect as set forth in the AGREEMENT.
3. A copy of the AMENDMENT No. 1 shall be attached to the original AGREEMENT A-14748 executed by the County on June 25, 2020

IN WITNESS WHEREOF, COUNTY and CONTRACTOR have executed this Agreement as of the day and year last written below.

COUNTY OF MONTEREY

CONTRACTOR

By: _____
Contracts/Purchasing Officer

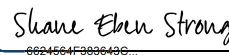
Date: _____

By: DocuSigned by:

Elsa Mas Jarama, Director of Health


Date: 6/30/2023 | 11:26 AM PDT

Approved as to Form

By: DocuSigned by:

County Counsel

Date: 6/13/2023 | 7:53 PM PDT

Approved as to Fiscal Provisions

By: DocuSigned by:

Auditor/Controller

Date: 6/14/2023 | 7:43 AM PDT

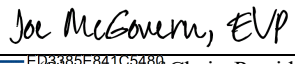
Approved as to Liability Provisions

By: _____
Risk Management

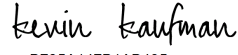
Date: _____

NETSMART TECHNOLOGIES, INC.

By: _____
DocuSigned by:
Contractor's Business Name*


Joe McGovern, EVP
DocuSigned by:
(Signature of Chair, President, or Vice-President)
EVP

Date: 6/5/2023 | 9:51 AM PDT

By: DocuSigned by:

Kevin Kaufman
DocuSigned by:
(Signature of Secretary, Asst. Secretary, CFO, Treasurer or Asst. Treasurer)

CFO

Name and Title

Date: 6/5/2023 | 11:01 AM PDT

INSTRUCTIONS: If CONTRACTOR is a corporation, including limited liability and nonprofit corporations, the full legal name of the corporation shall be set forth above together with 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 an officer 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

NetSMART Technologies Inc.

Schedule A - 1 - Charges and Payment Terms for FY 2023-24 through FY 2025-26

A.	Licensed Software Maintenance	Qty	Annual Amount	Monthly Amount	7/1/2023-6/30/2024 Period Charges	Payment Terms	7/1/2024-6/30/2025 Period Charges	Payment Terms	7/1/2025-6/30/2026 Period Charges	Payment Terms
1	Avatar -Addiction Severity Index (ASI) Maintenance	1	\$ 4,207.63	\$ 350.64	\$ 4,207.63	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 4,207.63	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 4,207.63	Payable upon the first day of FY 2025-26 (7/1/2025)
2	MyAvatar - CalPM Maintenance	1	\$ 5,610.51	\$ 467.54	\$ 5,610.51	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 5,610.51	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 5,610.51	Payable upon the first day of FY 2025-26 (7/1/2025)
3	MyAvatar - Clinicians Workstation (CWS) Maintenance	1	\$ 5,610.51	\$ 467.54	\$ 5,610.51	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 5,610.51	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 5,610.51	Payable upon the first day of FY 2025-26 (7/1/2025)
4	Avatar Data Warehouse Middleware Maintenance	1	\$ 7,949.76	\$ 662.48	\$ 7,949.76	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 7,949.76	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 7,949.76	Payable upon the first day of FY 2025-26 (7/1/2025)
5	Avatar E-Signature Maintenance	1	\$ 5,610.51	\$ 467.54	\$ 5,610.51	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 5,610.51	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 5,610.51	Payable upon the first day of FY 2025-26 (7/1/2025)
6	Escrow Agreement - County as Beneficiary	1	\$ 1,418.73	\$ 118.23	\$ 1,418.73	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 1,418.73	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 1,418.73	Payable upon the first day of FY 2025-26 (7/1/2025)
7	Avatar RADplus Named User License Maintenance	850	\$ 276.88	\$ 23.07	\$ 235,351.71	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 235,351.71	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 235,351.71	Payable upon the first day of FY 2025-26 (7/1/2025)
8	Avatar Web Services Suite Maintenance	1	\$ 4,964.29	\$ 413.69	\$ 4,964.29	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 4,964.29	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 4,964.29	Payable upon the first day of FY 2025-26 (7/1/2025)
9	Perceptive - Point of Service Scanning Maintenance	1	\$ 5,024.57	\$ 418.71	\$ 5,024.57	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 5,024.57	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 5,024.57	Payable upon the first day of FY 2025-26 (7/1/2025)
Subtotals:					\$ 275,748.22		\$ 275,748.22		\$ 275,748.22	

B.	Licensed Subscription	Qty	Annual Amount	Monthly Amount	7/1/2023-6/30/2024 Period Charges	Payment Terms	7/1/2024-6/30/2025 Period Charges	Payment Terms	7/1/2025-6/30/2026 Period Charges	Payment Terms
10	Speech Recognition Powered by M*Modal Tier 2 (101 - 200 Concurrent Users)	1	\$ 18,387.66	\$ 1,532.30	\$ 18,387.66	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 18,387.66	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 18,387.66	Payable upon the first day of FY 2025-26 (7/1/2025)
11	CareConnect Monthly Subscription (Replaces part of "Meaningful Use - Annual Maintenance")	1	\$ 8,155.18	\$ 679.60	\$ 8,155.18	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 8,155.18	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 8,155.18	Payable upon the first day of FY 2025-26 (7/1/2025)
12	CareConnect Lab Results (Inbound)	1	\$ 10,946.08	\$ 912.17	\$ 10,946.08	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 10,946.08	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 10,946.08	Payable upon the first day of FY 2025-26 (7/1/2025)
13	CareConnect Lab Results (Inbound)	1	\$ 4,992.00	\$ 416.00	\$ 4,992.00	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 4,992.00	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 4,992.00	Payable upon the first day of FY 2025-26 (7/1/2025)
13	CareConnect Lab Results (Outbound)	1	\$ 4,992.00	\$ 416.00	\$ 4,992.00	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 4,992.00	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 4,992.00	Payable upon the first day of FY 2025-26 (7/1/2025)
14	CareConnect CarEquality SaaS Connector	1	\$ 6,586.69	\$ 548.89	\$ 6,586.69	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 6,586.69	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 6,586.69	Payable upon the first day of FY 2025-26 (7/1/2025)
15	CareConnect Inbox Named User SaaS	1	\$ 38,731.93	\$ 3,227.66	\$ 38,731.93	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 38,731.93	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 38,731.93	Payable upon the first day of FY 2025-26 (7/1/2025)
13	CareConnect ADT Interface	2	\$ 3,120.00	\$ 260.00	\$ 6,240.00	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 6,240.00	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 6,240.00	Payable upon the first day of FY 2025-26 (7/1/2025)
14	CareConnect Syndromic Surveillance (Meaningful Use)	1	\$ 2,051.71	\$ 170.98	\$ 2,051.71	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 2,051.71	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 2,051.71	Payable upon the first day of FY 2025-26 (7/1/2025)
15	Diagnosis Content Subscription Base Fee (ICD 10 / DSM V Library)	1	\$ 16,239.35	\$ 1,353.28	\$ 16,239.35	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 16,239.35	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 16,239.35	Payable upon the first day of FY 2025-26 (7/1/2025)
16	Diagnosis Content Subscription Base Fee (ICD 10 / DSM V Library) Add On	1	\$ 187.20	\$ 15.60	\$ 187.20	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 187.20	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 187.20	Payable upon the first day of FY 2025-26 (7/1/2025)
17	AMA CPT Code Subscription	1	\$ 18,989.12	\$ 1,582.43	\$ 18,989.12	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 18,989.12	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 18,989.12	Payable upon the first day of FY 2025-26 (7/1/2025)
17	OrderConnect Base Fee	1	\$ 1,684.55	\$ 140.38	\$ 1,684.55	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 1,684.55	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 1,684.55	Payable upon the first day of FY 2025-26 (7/1/2025)
18	OrderConnect - FULL SUITE - Prescriber Subscription	45	\$ 2,435.79	\$ 202.98	\$ 85,252.63	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 85,252.63	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 85,252.63	Payable upon the first day of FY 2025-26 (7/1/2025)
19	OrderConnect - Non-Prescribing User Subscription	50	\$ 180.10	\$ 15.01	\$ 9,004.82	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 9,004.82	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 9,004.82	Payable upon the first day of FY 2025-26 (7/1/2025)

18	OrderConnect - ePCS Su	45	\$ 202.96	\$ 16.91	\$ 9,133.24	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 9,133.24	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 9,133.24	Payable upon the first day of FY 2025-26 (7/1/2025)
20	myHealthPointe 2.0 Essentials - Human Services	1	\$ 44,215.14	\$ 3,684.60	\$ 44,215.14	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 44,215.14	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 44,215.14	Payable upon the first day of FY 2025-26 (7/1/2025)
21	Reaching Recovery Subscription for 2,500 Clients	2500	\$ 10.82	\$ 0.90	\$ 27,039.54	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 27,039.54	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 27,039.54	Payable upon the first day of FY 2025-26 (7/1/2025)
Subtotals:					\$ 312,828.84		\$ 312,828.84		\$ 312,828.84	

C.	Hosting Services	Qty	Annual Amount	Monthly Amount	7/1/2023-6/30/2024 Period Charges	Payment Terms	7/1/2024-6/30/2025 Period Charges	Payment Terms	7/1/2025-6/30/2026 Period Charges	Payment Terms
27	Avatar Data Warehouse Hosting	1	\$ 10,383.36	\$ 865.28	\$ 10,383.36	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 10,383.36	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 10,383.36	Payable upon the first day of FY 2025-26 (7/1/2025)
28	Avatar Hosting with Disaster Recovery - Named User	850	\$ 535.46	\$ 44.62	\$ 455,140.48	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 455,140.48	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 455,140.48	Payable upon the first day of FY 2025-26 (7/1/2025)
29	Plexus Cloud Hosting - Perceptive - Disaster Recovery - Named User	850	\$ 39.55	\$ 3.30	\$ 33,614.63	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 33,614.63	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 33,614.63	Payable upon the first day of FY 2025-26 (7/1/2025)
30	Plexus Cloud Hosting - Avatar Scriptlink	1	\$ 8,864.54	\$ 738.71	\$ 8,864.54	Payable upon the first day of FY 2023-24 (7/1/2023)	\$ 8,864.54	Payable upon the first day of FY 2024-25 (7/1/2024)	\$ 8,864.54	Payable upon the first day of FY 2025-26 (7/1/2025)
Subtotals:					\$508,003.02		\$508,003.02		\$508,003.02	

\$ 1,096,580.08

\$ 1,096,580.08

D.	Professional and Technical Consulting Reserve	FY 2023-24 TO FY 2025-26	
	Description	Period Reserve	Payment Terms
31	Reserved Services: Professional Services and/or Consulting or Additional Licensing & Optional Services needed during the course of Agreement on an "as-needed" and "as-approved" basis	\$ 350,000.00	All services under this category shall be subject to the Terms of Schedule D attached and incorporated as part of this Agreement
Subtotal:		\$ 350,000.00	