

Agreement A-14065

**AMENDMENT NO. 3
TO SOFTWARE LICENSE AND SERVICES AGREEMENT
BETWEEN MAINTENANCE CONNECTION, LLC AND
NATIVIDAD MEDICAL CENTER
FOR
MAINTENANCE MANAGEMENT SOFTWARE**

This Amendment No. 3 to the Software License And Services Agreement ("Agreement") which was effective on January 1, 2018 is entered into by and between the County of Monterey, on behalf of Natividad Medical Center (hereinafter "Customer"), and Maintenance Connection, LLC (hereinafter "MC" or "Company"); (collectively, the Customer and MC or Company are referred to as the "Parties"), with respect to the following:

RECITALS

WHEREAS, the Agreement was executed with Maintenance Connection, LLC for Maintenance Management Software Services with a term January 1, 2018 through December 31, 2019 and a total Agreement amount not to exceed \$43,872; and

WHEREAS, Customer and MC currently wish to amend the Agreement via Amendment No. 1 to extend it for an additional three (3) year period through December 31, 2022 to allow for services to continue with revisions to the original scope of work attached hereto as "Exhibit F-1 as per Amendment No.1" with a \$68,344 increase for a total Agreement amount of \$112,216.

WHEREAS, the Agreement expired on December 31, 2022; and

WHEREAS, the Parties wish to renewed and amended the Agreement on the same or similar terms, beginning January 1, 2023 and to for an additional one (1) year period (January 1, 2023 through December 31, 2023) for a revised full agreement term of January 1, 2018 through December 31, 2023 to allow for services to continue with a revised scope of work attached hereto as "Exhibit F-2 as per Renewal & Amendment No. 2" with a \$4,387 increase for the added year for a total Agreement amount of \$116,603; and

WHEREAS, COUNTY and CONTRACTOR currently wish to amend the Agreement to extend it for an additional one (1) year period (January 1, 2024 through December 31, 2024) for a revised full agreement term of January 1, 2018 through December 31, 2024 to allow for services to continue with additions to the original scope of work attached hereto as "Exhibit F-3 as per Amendment No. 3" with a \$30,086 increase for the added services for a total Agreement amount of \$146,689.

AGREEMENT

NOW, THEREFORE, the Parties agree to amend the Agreement as follows:

The Agreement is hereby renewed on the terms and conditions as set forth in the Original Agreement incorporated herein by this reference, except as specifically set forth below.

1. **Second sentence in the first paragraph shall be amended to the following:**

"The Agreement includes and incorporates the attached Exhibit F-3 as per Amendment No. 3 attached hereto this Amendment No. 3 used for ordering hereunder ("Order Form") as well as the attached Terms and Conditions.

2. **Section 6 Paragraph 6.1 (b) shall be amended to the following:**
“Subject to earlier termination as provided below, this Agreement is specified in the Order Form for a revised full agreement term of January 1, 2018 through December 31, 2024, with options for Customer to renew only by an instrument in writing signed by Customer and MC.”
3. Except as provided herein, all remaining terms, conditions and provisions of the Original Agreement are unchanged and unaffected by this Amendment No. 1, and Renewal & Amendment No. 2 and shall continue in full force and effect as set forth in the Agreement.
4. A copy of this Amendment No. 3 shall be attached to the Original Agreement.
5. This Amendment No. 3 shall be effective when both parties have signed.

The remainder of this page was intentionally left blank.

~ Signature page to follow ~

IN WITNESS WHEREOF, the Parties hereto are in agreement with this Amendment No. 3 on the basis set forth in this document and have executed this Amendment No. 3 on the day and year set forth herein.

NATIVIDAD MEDICAL CENTER

DocuSigned by:

By: Charles Harris
CHARLES R. HARRIS, CEO
4E1F837D204E481...Date: 11/6/2023 | 9:54 AM PST**APPROVED AS TO LEGAL PROVISIONS**

DocuSigned by:

By: Stacy Saetta
Monterey County Deputy County Counsel
C0ECE1B99F444A9...Date: 11/6/2023 | 8:08 AM PST**APPROVED AS TO FISCAL PROVISIONS**

DocuSigned by:

By: Patricia Ruiz
Monterey County Deputy Auditor/Controller
E79EF64E57454F6...Date: 11/6/2023 | 9:07 AM PST**CONTRACTOR**

Maintenance Connection, LLC

CONTRACTOR's Business Name

See instructions below

DocuSigned by:

By: Michael Thomas
(Signature of: Chair, President, or Vice-President)
DF5534802E4C492...Michael Thomas Vice President
Name and TitleDate: 11/3/2023

DocuSigned by:

By: Alicia Musgrove
(Signature of: Secretary, Asst. Secretary, CFO, Treasurer, or Asst. Treasurer)
9BD8E5E5820A475...Alicia Musgrove Manager, Operations
Name and TitleDate: 11/3/2023*****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 (two signatures required).

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 (two signatures required).

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 (one signature required).

ORDER FORM
EXHIBIT F-3 AS PER AMENDMENT NO. 3

- **The fees above shall be invoiced annually.**

Product Subscription Fees	Quantity/Metric	01/01/2024 – 12/31/2024
MC Professional Cloud Concurrent User Subscription	1 Concurrent Licenses	\$ 6,759.37
MC Express LE Cloud Named User Subscription	1 Concurrent Licenses	\$ 10,733.47
MC Cloud - Service Requester	1 Concurrent Licenses	\$ 1,689.84
Cloud - MC Express - Concurrent Starter Pack	1 Concurrent Licenses	\$ 5,078.02
MC Express Cloud Concurrent User Subscription License	1 Concurrent Licenses	\$ 5,825.29
Total Base Committed Fees		\$30,085.99