

**FIRST AMENDMENT
SOFTWARE LICENSE AND SERVICES AGREEMENT
BY AND BETWEEN
COUNTY OF HUMBOLDT
AND
ASSETPULSE LLC
FOR FISCAL YEARS 2019-2020 THROUGH 2022-2023**

This First Amendment to the Software License and Services Agreement dated July 9, 2019, by and between the County of Humboldt, a political subdivision of the State of California, hereinafter referred to as “Customer,” and AssetPulse LLC, a California limited liability company, hereinafter referred to as “AssetPulse,” is entered into this ____ day of _____, 2020.

WHEREAS, Customer, by and through its Department of Health and Human Services, desired to retain a qualified professional organization to provide, support and maintain an electronic asset tracking system; and

WHEREAS, on July 9, 2019, Customer and AssetPulse entered into a Software License and Services Agreement (“Software License Agreement”) regarding the provision, support and maintenance of an electronic asset tracking system; and

WHEREAS, the parties now desire to amend certain provisions of the Software License Agreement in order to clarify the term thereof, increase the maximum amount payable thereunder and modify the execution requirements set forth therein.

NOW THEREFORE, the parties mutually agree as follows:

1. Section 13.1 – Term of the Software License Agreement is hereby amended to read as follows:
 - 13.1 Term. This Agreement shall begin on July 9, 2019 and shall remain in full force and effect until July 8, 2022, unless sooner terminated as provided herein.

2. Section 13.2 – Maximum Amount Payable of the Software License Agreement is hereby amended to read as follows:
 - 13.2 Maximum Amount Payable. The maximum amount payable by Customer pursuant to this Agreement is Ninety-Six Thousand Seven Hundred Sixty-Three Dollars (\$96,763.00). AssetPulse agrees to provide any and all licenses and services required by this Agreement for an amount not to exceed such maximum dollar amount. However, if local, state or federal funding or allowance rates are reduced or eliminated, Customer may, by amendment, reduce the maximum amount payable hereunder or terminate this Agreement as provided herein.

3. Section 17.7 – Counterparts of the Software License Agreement is hereby amended to read as follows:
 - 17.7 Counterparts. This Agreement, and any amendments hereto, may be executed in one (1) or more counterparts, each of which shall be deemed to be an original and all of which, when taken together, shall be deemed to be one (1) and the same agreement. This Agreement, and any amendments hereto, may be signed by manual or electronic signatures in accordance with any and all applicable local, state and federal laws, regulations and standards, and such signatures shall constitute original signatures for all purposes. A signed copy of this Agreement, and any amendments hereto,

transmitted by email or by other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this Agreement and any amendments hereto.


4. Except as modified herein, the Software License Agreement dated July 9, 2019 shall remain in full force and effect. In the event of a conflict between the provisions of this First Amendment and the original Software License Agreement, the provisions of this First Amendment shall govern.

IN WITNESS WHEREOF, the parties have entered into this First Amendment as of the first date written above.


TWO SIGNATURES ARE REQUIRED FOR LIMITED LIABILITY COMPANIES PURSUANT TO THE CALIFORNIA CORPORATIONS CODE:

- (1) CHAIRPERSON OF THE BOARD, PRESIDENT OR VICE PRESIDENT; AND
- (2) SECRETARY, CHIEF FINANCIAL OFFICER OR TREASURER; OR
- (3) ANY OTHER PROPERLY AUTHORIZED OFFICIAL OR EMPLOYEE.

ASSETPULSE LLC:

By: 
Name: Sujatha Bodapat
Title: President

Date: 11/24/20

By: 
Name: Monica Bedolla
Title: Accounting Manager

Date: 11/25/2020

COUNTY OF HUMBOLDT:

By: _____
Estelle Fennell, Chair
Humboldt County Board of Supervisors

Date: _____

INSURANCE AND INDEMNIFICATION REQUIREMENTS APPROVED:

By: 
Risk Management

Date: 12/6/2020