

COUNTY OF TULARE
SERVICES AGREEMENT AMENDMENT FORM
REVISION APPROVED 01/01/2018

**FOURTH AMENDMENT TO
TULARE COUNTY AGREEMENT NO. 28437**

THIS FOURTH AMENDMENT ("Amendment") to Tulare County Agreement Number 28437 (the "Agreement") is entered into by and between the **COUNTY OF TULARE** ("COUNTY") and **NETSMART TECHNOLOGIES, INC.**, ("CONTRACTOR") as of September 10, 2024, with reference to the following:

- A. The COUNTY and CONTRACTOR entered into Agreement Number 28437 on December 19, 2017, for the purpose of continuing the utilization of Avatar services: and
- B. COUNTY AND CONTRACTOR amended Agreement Number 28437 on January 8, 2019 (Amendment Number 28437-A) to increase the number of user licenses and budget amount; and
- C. COUNTY and CONTRACTOR amended Agreement Number 28437 on August 16, 2022 (Amendment Number 28437-B) to extend the term, modified Exhibit B, Pricing Terms, to update the increase the budget amount; and
- D. COUNTY and CONTRACTOR amended Agreement Number 28437 on December 12, 2023, to update Exhibit B and extend the term through December 31, 2024 (Amendment Number 28437-C), to modify Exhibit B, Pricing Terms, to extend the term an additional year and to decrease the budget amount by \$150,000, which was an error. The budget was actually increased for a total contract budget of \$5,555,623; and
- E. COUNTY and CONTRACTOR now wish to amend Agreement Number 28437 to modify Exhibit B, Pricing Terms, to increase the budget by \$120,000 from \$5,555,623 to \$5,675,623 to add Contingency funding for future purchases and needs.

ACCORDINGLY, COUNTY and CONTRACTOR agree as follows:

- 1. The Fourth Amendment effective upon Board signature.
- 2. Exhibit B is hereby replaced and superseded with the attached Exhibit B to reflect the increased total budget amount for Fiscal Year 2024/2025 and the increased total dollar amount.
- 3. Except as provided above, all other terms and conditions of the Agreement shall remain in full force and effect.

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TULARE COUNTY AGREEMENT NO. 28437-D

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THE PARTIES, having read and considered the above provisions, indicate their agreement by their authorized signatures below.

NETSMART TECHNOLOGIES, INC.

Date 8/21/2024

DocuSigned by:
Joe McGovern
By Joe McGovern
Print Name Joe McGovern
Title EVP

Date 8/13/2024

Signed by:
Lynn Marasco
By Lynn Marasco
Print Name Lynn Marasco
Title Secretary

[Pursuant to Corporations Code section 313, County policy requires that contracts with a Corporation be signed by both (1) the chairman of the Board of Directors, the president or any vice-president (or another officer having general, operational responsibilities), and (2) the secretary, any assistant secretary, the chief financial officer, or any assistant treasurer (or another officer having recordkeeping or financial responsibilities), unless the contract is accompanied by a certified copy of a resolution of the corporation's Board of Directors authorizing the execution of the contract. Similarly, pursuant to California Corporations Code section 17703.01, County policy requires that contracts with a Limited Liability Company be signed by at least two managers, unless the contract is accompanied by a certified copy of the articles of organization stating that the LLC is managed by only one manager.]

COUNTY OF TULARE

Date 9/10/2024

By [Signature]
Chair, Board of Supervisors

ATTEST: JASON T. BRITT
County Administrative Officer/Clerk of the Board
of Supervisors of the County of Tulare

By [Signature]
Deputy Clerk



Approved as to Form:
County Counsel

By Eric M. Scott 08/27/2024
Deputy

Matter # 2024910

Netsmart
Pricing Terms
Exhibit B

Maintenance and Services	Start Date	End Date	Annual Fees	Payment Terms
Avatar Hosted System - 100 Users	1/1/2024	12/31/2024	\$ 39,549.80	Billable Upon Contract Execution
Two Party Escrow Agreement	1/1/2024	12/31/2024	\$ 2,377.95	Billable Upon Contract Execution
Plexus Cloud Hosting - Avatar - Disaster Recovery - 100 Named Users	1/1/2024	12/31/2024	\$ 29,277.36	Billable Upon Contract Execution
Avatar RADplus 100 Named Users Maintenance	1/1/2024	12/31/2024	\$ 33,582.84	Billable Upon Contract Execution
VPN Appliance Maintenance	1/1/2024	12/31/2024	\$ 1,644.96	Billable Upon Contract Execution
Plexus Cloud Hosting - Additional Environment	1/1/2024	12/31/2024	\$ 11,127.88	Billable Upon Contract Execution
Subtotal			\$ 117,560.79	
Contingency	1/1/2024	12/31/2024	\$ 152,439.21	Billable upon added user request
Total			\$ 270,000.00	