

“AMENDMENT FIVE”
to
TracNet Software License Agreement

The following is a description of (1) the Licensed Program to be added under this License Attachment, (2) the cost of the TracNet Licensed Program License cost and installation, services, and training and (3) the number of authorized workstations utilizing the software. The rights and obligations of the parties regarding this addition to the License agreement are governed by the terms of the previously approved existing Software Product License Agreement dated 09-24-96.

<u>Additional Software Licensed Program Name</u>	<u>Cost</u>	<u># Authorized Workstations</u>
Homeland Security Intelligence Database System For The Office License	\$ 20,000.00	
Upgrade to Annual Maintenance Service Plan Covering Homeland Security Intelligence Database System/ For The Office Maintenance	\$ 4,800.00	✓

By affixing signatures below, both parties acknowledge that they have read and understand and accept this attachment entitled "Amendment Five" as an attachment to the existing TracNet Proposal previously approved and dated 09-24-96. Both parties agree that this Amendment and all related attachments only serves to add the above listed TracNet software products, number of authorized users and additional costs to the existing agreement. The previously approved TracNet Proposal, License Agreement, Maintenance Service Plan, Attachment "A", Amendments and other referenced Attachments and documents remain unaltered and in effect. Those documents in conjunction with "Amendment Five" continue to set forth the entire agreement and understanding of the parties relating to the subject matter herein. In addition, both parties agree to continue to be bound by the terms and conditions contained in these documents and agree that no modification of or amendment of this Agreement, nor any waiver of any rights under this Agreement, shall be effective unless in writing and signed by both parties to this Agreement.

If any provision or provisions of this Attachment shall be held to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

IN WITNESS WHEREOF, LICENSOR and LICENSEE hereby execute this Attachment titled "Amendment Three" in their respective names and by their duly authorized officers, effective as of the date of the latter acceptance below.

ACCEPTED BY:

LICENSEE: _____
 By: _____
 Title: _____
 Date: _____

Address: _____

ACCEPTED BY:

LICENSOR: TracNet Corporation
 By: [Signature]
 Title: President
 Date: 3/14/05

Address: 1277 Adobe Lane
 Pacific Grove, CA 93950

Contract #: _____

CONTRACT ROUTING SHEET

PROCESSING DEPARTMENT:

Department: SHERIFF
Dept. Contact: Nancy Egbert
Phone #: 621-5479
Department Head
Signature: *Nancy H. Egbert*

CONTRACTOR:

Name: TracNet Corporation
Address: 1277 Adobe Lane
Pacific Grove, CA 93950
Phone: _____

CONTRACTING DEPARTMENT:

Compliance with Human Resources requirements? Yes: No:
Compliance verified by: _____

COUNTY COUNSEL: (Must approve all contracts and MOU's)

Approved: _____ Disapproved: _____ Date: _____ By: _____
Approved: _____ Disapproved: _____ Date: _____ By: _____

RISK MANAGEMENT: (All contracts and MOU's except boilerplate grant funding agreements)

Approved: _____ Disapproved: _____ Date: _____ By: _____
Approved: _____ Disapproved: _____ Date: _____ By: _____

OTHER APPROVAL (Specify department(s) participating or directly affected by this contract). Department(s): _____

Approved: _____ Disapproved: _____ Date: _____ By: _____
Approved: _____ Disapproved: _____ Date: _____ By: _____

**EL DORADO COUNTY SHERIFF'S DEPARTMENT
SHERIFF JEFF NEVES**

MEMORANDUM

TO: Board of Supervisors
FROM: Jeff Neves, Sheriff
SUBJECT: Amendment #5 to Software License with TracNet Corp.
DATE: 6/13/2005

Recommendation:

Your Board is requested to authorize the Chair to sign Amendment #5 to the software license agreement with TracNet Corporation of Pacific Grove, California.

Reason for Recommendation:

Since 1996 TracNet Corporation has provided the Sheriff's Office with software for computer-aided dispatch, in-field report writing, records management and jail management via a master software license agreement.

The Sheriff's Office has received federal funding to purchase a new Homeland Security Intelligence Database component for the in-field report writing system.

Please note that the original software license with TracNet Corporation, approved by your Board on September 24, 1996, Amendment #1 approved by your Board on June 27, 2000, Amendment #2 approved by your Board on June 27, 2001, Amendment #3 approved by your Board on June 11, 2002 and Amendment #4 approved by your Board on July 1, 2003 contained non-standard liability and insurance provisions. The amendment before you does not change that situation, as has been noted by both County Counsel and Risk Management in their review of the amendment. As was the case on those five prior occasions, the Sheriff's Office recommends that your Board note the concerns raised by County Counsel and Risk Management but authorize the Chair to sign the Amendment anyway.

Fiscal Impact:

None. \$20,000 is available in the Sheriff's FY 05-06 budget for this purchase. Funds are also available for the \$4800 increase to the annual maintenance service plan.

Action to be Taken Following Approval:

The Chair will sign the Amendment.