

**“AMENDMENT FOUR”  
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>
Communication Van CAD	\$ 19,926.00	4
Homeland Security Intelligence FI Component Upgrade to Annual Maintenance Service Plan Covering Communication Van CAD	\$ 8,500.00 <i>K</i> \$ 3,000.00	N/A

*11/19/03  
I haven't rec'd this invoice yet but it will be coming.  
Marty J. Carney*

By affixing signatures below, both parties acknowledge that they have read and understand and accept this attachment entitled "Amendment Four" 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 Four" 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: *San Diego County*  
By: *Helen K. Baumann*  
Title: **HELEN K. BAUMANN**  
Date: *July 1, 2003*

Address: \_\_\_\_\_

ACCEPTED BY:

LICENSOR: *TracNet Corporation*  
By: *[Signature]*  
Title: *President*  
Date: *3/6/03*

Address: 1277 Adobe Lane  
Pacific Grove, CA 93950

ATTEST: DIXIE L. FOOTE, Clerk  
of the Board of Supervisors

By *Margaret S. Moody*  
DEPUTY CLERK

Contract #: \_\_\_\_\_

# CONTRACT ROUTING SHEET

### PROCESSING DEPARTMENT:

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

### CONTRACTOR:

Name: TracNet Corporation  
 Address: 1277 Adobe Lane  
Pacific Grove, CA 93950  
 Phone: 650-625-1470

### CONTRACTING DEPARTMENT: SHERIFF

Compliance with Human Resources requirements? Yes:  No:   
 Compliance verified by: Nancy N. Egbert

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

Approved: \_\_\_\_\_ Disapproved: ✓ Date: May 5, 03 By: Wendy M. Kern  
 Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_ Date: \_\_\_\_\_ By: \_\_\_\_\_

ASSIGNMENT  
 DATE: 4/25/03  
 ATTORNEY: DOUG KERN  
 DEPT./INDEX NO: 201110

*Continue to recommend removal by IS  
 more detail re. vague re. various upgrades  
 Maintenance Agmt  
 By of indemnification provision for reasons sets kind  
 re. previous memos  
 Finance Board of history: See memos of 9/16/02  
 4/17/99*

DORADO COUNTY  
 2003 APR 24  
 11:15 AM

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

Approved: \_\_\_\_\_ Disapproved: ✓ Date: 5/9/03 By: Andy Green  
 Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_ Date: \_\_\_\_\_ By: \_\_\_\_\_

*2003 Risk concurs with County Counsel's  
 comments above and recommends Sheriff  
 advise Board of history and previous memos.*

### 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:** Fourth Amendment to Software License with TracNet Corporation  
**DATE:** 6/19/2003

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**Recommendation:**

Your Board is requested to authorize the Chair to sign Amendment #4 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 software that will allow the Sheriff's communications van to function as a backup dispatch center and to track various homeland security issues. The amendment before you today provides for the acquisition of a second copy of the Computer-Aided Dispatch (CAD) module (the first module was purchased via Amendment #2 to the software license) for the communications van and for the purchase of a new Homeland Security Intelligence 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 and Amendment #3 approved by your Board on June 11, 2002 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 four 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. \$28,426 is available in the Sheriff's FY 03-04 budget for this purchase. Funds are also available for the \$3000 increase to the annual maintenance service plan.

**Action to be Taken Following Approval:**

The Chair will sign the Amendment and Purchasing will encumber the grant funds.