

**AMENDMENT No. 1
TO THE
SOFTWARE LICENSE AND PROFESSIONAL SERVICES AGREEMENT
WITH
TRITECH SOFTWARE SYSTEMS, INC. (SUCCESSOR TO LUCITY,
INC.)
FOR
COMPUTERIZED MAINTENANCE MANAGEMENT SYSTEM**

This Amendment is entered into this 29th day of July, 2020 by and between the City of Milpitas, a municipal corporation of the State of California (hereafter referred to as "City") and **TriTech Software Systems, Inc.**, a corporation with its principle place of business at **1000 Business Center Drive, Lake Mary, Florida 32746** (hereafter referred to as "Contractor"). City and Contractor are sometimes individually referred to as "Party" and collectively as "Parties" in this Amendment.

RECITALS

WHEREAS, on May 18, 2018, the City and Lucity, Inc. entered into a Software License and Professional Services Agreement for Computerized Maintenance Management System Services for the not-to-exceed amount of \$236,142.47, with a term period of May 18, 2018 to May 17, 2023 (the "Software License and Professional Services Agreement"); and

WHEREAS effective January 1, 2020 TriTech Software Systems, Inc. acquired 100% of the assets of Lucity, Inc., including all rights to Lucity's software systems, and

WHEREAS effective [7/6/2020] TriTech Software Systems, Inc. and the City of Milpitas entered into that certain Assignment and Assumption Agreement whereby TriTech Software Systems, Inc. assumed performance of the Software License and Professional Services Agreement, and

WHEREAS, the Parties now desire to amend the Software License and Professional Services Agreement to include additional software and services for additional compensation of \$31,600.00.

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the Parties agree to amend the Software License and Professional Services Agreement as follows:

1. Section II – Scope of Services, and Section V – Fees and Payment, are hereby amended to include additional software and services for the additional compensation of \$31,600.00, as outlined in Exhibit E-1 – Additional Services (March 2020) attached hereto and incorporated herein by this reference, for a new total not-to-exceed amount of \$267,742.47.

2. All other provisions of the Software License and Professional Services Agreement not amended by this Amendment No. 1 shall remain in full force and effect.

[SIGNATURES ON FOLLOWING PAGE]

This Amendment No. 1 is executed as of the date first written above.


APPROVED BY:

CITY OF MILPITAS

TriTech Software Systems,
Inc.

DocuSigned by:



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Steven G. McHarris,
Interim City Manager

DocuSigned by:


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Name:


Title: SVP Business Transformation, PA

Approved As To Content:

DocuSigned by:



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Tony Ndari
Director of Public Works

Approved:

DocuSigned by:


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Walter C. Rossmann
Director of Finance/Risk Manager

Approved As To Form:

DocuSigned by:


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Christopher J. Diaz
City Attorney