

**FIFTH AMENDMENT TO AGREEMENT BETWEEN ALACHUA COUNTY AND ESO SOLUTIONS, INC. FOR PATIENT CARE SOFTWARE.
NO. 11350**

THIS FIFTH AMENDMENT (“Amendment”) is made by and between Alachua County, Florida, a political subdivision, and charter county of the State of Florida, by and through its Board of County Commissioners (the “County”) and ESO SOLUTIONS INC, a For Profit Corporation, which is authorized to do business in the State of Florida (“Professional”), who are collectively referred to as the “Parties”.

WITNESSETH:

WHEREAS, the Parties previously entered into a Professional Services Agreement dated August 28, 2019 for Patient Care Software., identified by No. 11350 (the “Agreement”); and

WHEREAS, the Parties entered into the First Amendment to the Agreement, dated November 12, 2019 (the “First Amendment”); and entered into the Second Amendment to the Agreement, dated August 25, 2020 (the “Second Amendment”) through which services were added to the Scope of Services and Not to Exceed Cost of the Agreement was increased to account for the added services; entered into the Third Amendment to the Agreement, dated January 11, 2022 (the “Third Amendment”) through which added to the Scope of Services and increased the Not to Exceed Cost of the agreement, and entered into the Fourth Amendment to the Agreement, dated August 24, 2022 through which the term of the Agreement was extended through August 27, 2025, ; and

WHEREAS, the County desires the Professional provide additional services; and

WHEREAS, the Parties desire to amend the Agreement to add services to the Scope of Services and to increase the Not to Exceed Cost of the Agreement to account for the added services.

NOW, THEREFORE, the County and Contractor agree to amend the Agreement as follows:

- A. Amendment. Section #1, of the Agreement titled “Scope of Service” as previously amended is hereby further amended to add the following services to 8.3, Product fees;

Fire			
Product	Volume	Total	Fee Type
ESO Hydrants	11 Stations	\$3,145.00	Recurring
Fire Setup & Online Training	1 Sessions	\$595.00	One-time
Total Recurring Fees		\$	3,145.00
Total One-Time Fees		\$	595.00
TOTAL FEES		\$	3,740.00

B. Amendment: Paragraph #9 of the Agreement, “Method of Payment”, sub-paragraph 9.1 is hereby amendment in its entirety to read:

9.1 ESO shall be paid for those services required by this Agreement not to exceed the sum of One Hundred Three Thousand Three Hundred Seventy Three Dollars and 78/100 (\$103,373.78) allocated as outlined in the Scope of Services, Exhibit 1. This amount includes any charges for services rendered, invoiced and paid, prior to this Amendment.

C. Effective Date. Upon and after full execution of this Amendment by the Parties, this Amendment shall be effective on the date of last signature. The Subscription Start Date for the services indicated in Section A shall begin on October 1, 2023.

D. Original Agreement. Unless expressly amended herein, all other terms and provisions of the original Agreement between the Parties, including any prior amendments to the Agreement, shall be and remain in full force and effect. In the event any of the prior amendments to the Agreement conflict with this Amendment, the provisions of this Amendment shall prevail.

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IN WITNESS WHEREOF, the Parties have caused this Amendment to be executed on the day and year below written.

ALACHUA COUNTY, FLORIDA

By: _____
Anna Prizzia, Chair
Board of County Commissioners
Date: _____

ATTEST

APPROVED AS TO FORM

J.K. "Jess" Irby, Esq., Clerk
(SEAL)

Alachua County Attorney's Office

CONTRACTOR

DocuSigned by:
Robert Munden
By: _____
352886F4DCA643C...
Print: Robert Munden
Title: Chief Legal & Compliance Officer
Date: 9/8/2023

IF THE CONTRACTOR IS NOT A NATURAL PERSON, PLEASE PROVIDE A CERTIFICATE OF INCUMBENCY AND AUTHORITY, OR A CORPORATE RESOLUTION, LISTING THOSE AUTHORIZED TO EXECUTE AGREEMENTS ON BEHALF OF YOUR ORGANIZATION. IF ARE A NATURAL PERSON, THEN YOUR SIGNATURE MUST BE NOTARIZED.