

SECOND AMENDMENT TO AGREEMENT BETWEEN ALACHUA COUNTY AND BI INCORPORATED FOR OFFENDER MONITORING SOLUTIONS NO. 13479

THIS SECOND 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 BI Incorporated, a Foreign for Profit Corporation which is authorized to do business in the State of Florida (“Contractor”), who are collectively referred to as the “Parties”.

WITNESSETH:

WHEREAS the Parties previously entered into an Addendum Agreement based on an Omnia National Cooperative Purchasing Alliance Contract for Offender Monitoring Solutions, identified by No. 13479 (the “Agreement”); and

WHEREAS, the County has elected its option to renew the term of the original Agreement to allow the Contractor to furnish the goods or service to Alachua County; and

WHEREAS, the Parties agree to include the statutory language and affidavit from Section 787.06(13), Florida Statutes, No Coercion for Labor or Services, to the original Agreement; and

WHEREAS, the Parties agree to include the statutory language and affidavit from Section 287.138, Florida Statutes, Contracting with Entities of Foreign Countries of Concern Prohibited, to the original Agreement; and

WHEREAS, the Parties desires to amend the Agreement to extend the term and to do as otherwise provided herein.

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

A. Amendment. Section #3.b.i, of the Agreement titled “Term” sub-section i is amended in its entirety to read as follows:

i. The Term of this Agreement is effective October 1, 2022, after execution and continues through September 30, 2026, unless terminated earlier as provided herein. The County has the option of renewing or extending the term of this Agreement for additional periods of time coinciding with the term of any renewals or extensions of the Master Agreement.

B. Amendment. Section #5, of the Agreement titled “No Coercion for Labor or Services” is added to read as follows:

Human Trafficking Affidavit of No Coercion for Labor or Services

Section 787.06(13), Florida Statutes, requires any governmental entity, which includes "district", when executing, renewing, or extending a contract, must obtain an affidavit from the non-governmental entity attesting that it does not use coercion for labor or services. The terms "coercion" and "labor" are defined respectively in sections 787.06(2)(a) 1-72 and 787.06(2)(e)3, Florida Statutes.

The Contractor will certify this understanding, obligation, through the completion of the No Coercion for Labor or Services Affidavit, a copy of which is attached to this Amendment as **Attachment C**.

C. Amendment. Section #6, of the Agreement titled “Contracting with Entities of Foreign Countries of Concern Prohibited” is added to read as follows:

Contracting with Entities of Foreign Countries of Concern Prohibited

Section 287.138, Florida Statutes, prohibits any governmental entity, which includes "district", from contracting with entities of foreign countries of concern if the contract provides the vendor with access to an individual's personal identifying information and:

The entity is owned by the government of a foreign country of concern;

The government of a foreign country of concern has a controlling interest in the entity; or

The entity is organized under the laws of or has its principal place of business in a foreign country of concern.

The statute identifies foreign countries of concern as: The People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolas Maduro, or the Syrian Arab Republic does not have a controlling interest in the Supplier.

The Contractor will certify this understanding, obligation, through the completion of the Foreign Country of Concern Affidavit, a copy of which is attached to this Amendment as **Attachment D**.

D. Effective Date. Upon and after full execution of this Amendment by the Parties, this Amendment shall be effective on October 1, 2025.

E. 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.

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

ALACHUA COUNTY, FLORIDA

By: _____

Charles "Chuck" Chestnut IV, Chair

Board of County Commissioners

Date: _____

ATTEST

APPROVED AS TO FORM

J.K. "Jess" Irby, Esq., Clerk

(SEAL)

Alachua County Attorney's Office

CONTRACTOR

By: ^{Signed by:} Isabel Yang
795F9C1A85824B4...

Print: Isabel Yang

Title: EVP, BI

Date: 9/2/2025 | 12:28:14 EDT

INCORPORATED OR ARE OTHERWISE NOT A NATURAL PERSON, PLEASE PROVIDE A CERTIFICATE OF INCUMBENCY AND AUTHORITY, OR A CORPORATE RESOLUTION, LISTING THOSE AUTHORIZED TO EXECUTE AGREEMENTS. IF A NATURAL PERSON, THEN YOUR SIGNATURE SHOULD BE NOTARIZED.

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ATTACHMENT C: AFFIDAVIT OF NO COERCION PURSUANT TO §787.06, FLORIDA STATUTES

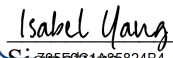
State of Florida

County of Alachua

I, Isabel Yang [insert full legal name of the person providing this affidavit], as EVP, BI [insert corporate title of the person providing this affidavit] of the BI Inc [insert full legal name of the Corporation], having taken an oath, deposes and says:

1. I am over the age of twenty-one (21) and make this Affidavit on personal knowledge and not upon information or belief
2. I am duly authorized to attest and affirm as to the matters contained herein on behalf of on behalf of the BI Inc [insert full legal name of the Corporation].
3. I attest and affirm that BI Inc [insert full legal name of the Corporation] does not use coercion as defined in section 787.06(2)(a), Florida Statutes, to employ any person for labor or services.
4. This signed attestation is provided to the Alachua County Board of County Commissioners to comply with section 787.06(13), Florida Statutes.

Under penalty of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true.

Signed by:

Signature

Isabel Yang
Name Printed

EVP, BI
Title

9/2/2025 | 12:28:14 EDT
Date Signed

**ATTACHMENT D: AFFIDAVIT REGARDING FOREIGN COUNTRIES OF CONCERN
PURSUANT TO 287.138, Florida Statutes**

State of Colorado
County of Boulder

I, Isabel Yang [insert full legal name of the person providing this affidavit], as
EVP, BI [insert corporate title of the person providing this affidavit] of the
BI Inc [insert full legal name of the Corporation], having
taken an oath, deposes and says:

1. I am over the age of twenty-one (21) and make this Affidavit on personal knowledge and not upon information or belief.
2. I am duly authorized to attest and affirm as to the matters contained herein on behalf of on behalf of BI Inc [insert full legal name of the Corporation].
3. I attest and affirm that the following is true and correct:
 - a. BI Inc [insert full legal name of entity] is not owned by the government of a foreign country of concern as identified in section 287.138(1)(c), Florida Statutes (*i.e.*, People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolas Maduro, or the Syrian Arab Republic, including any agency of or any other entity of significant control of such foreign country of concern).
 - b. The government of a foreign country of concern does not have a controlling interest in BI Inc [insert full legal name of entity].
 - c. BI Inc [insert full legal name of entity] is not organized under the laws of or has its principal place of business in a foreign country of concern.
4. This affidavit is provided to the Alachua County Board of County Commissioners to comply with section 287.138(4) Florida Statutes.

Under penalty of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true.

Signed by:
Isabel Yang
Signature

Isabel Yang
Name Printed

EVP, BI
Title

9/2/2025 | 12:28:14 EDT
Date Signed