

**AMENDMENT NUMBER ~~THREE~~ FOUR**  
**TO**  
**~~AGREEMENT~~ CONTRACT MA-060-11011448**  
**BETWEEN THE**  
**COUNTY OF ORANGE**  
**AND**  
**SIEMENS INDUSTRY, INC.**

This AMENDMENT NUMBER ~~THREE~~ FOUR to Contract Number MA-060-11011448 (hereinafter "AMENDMENT NUMBER ~~THREE~~ FOUR") between the County of Orange, a political subdivision of the State of California (hereinafter "COUNTY") and **Siemens Industry, Inc.** (hereinafter "CONTRACTOR") with a place of business at **10775 Business Center Drive, Cypress, CA 90630**, is made and entered upon execution of all necessary signatures.

**RECITALS:**

**WHEREAS**, COUNTY and CONTRACTOR executed a Contract for Energy Management System Hardware/Software Maintenance on December 14, 2010, as; Contract Number MA-060-11010469; (hereinafter "ORIGINAL ~~AGREEMENT~~ CONTRACT") for a one (1) year term of September 13, 2010 through and including September 12, 2011, renewable for four (4) additional one-year terms; and

**WHEREAS**, COUNTY and CONTRACTOR agreed to an administrative change of the ORIGINAL ~~AGREEMENT~~ CONTRACT number from MA-060-11010469 to MA-060-11011448;

**WHEREAS**, COUNTY and CONTRACTOR renewed the ORIGINAL ~~AGREEMENT~~ CONTRACT on August 26, 2011 as Contract number MA-060-12010120 (hereinafter "AMENDMENT NUMBER ONE") for ~~one additional~~ a one-year term of September 13, 2011 through and including September 12, 2012;

**WHEREAS**, COUNTY and CONTRACTOR renewed the ORIGINAL ~~AGREEMENT~~ CONTRACT on July 31, 2012 as Contract number MA-060-12012115 (hereinafter "AMENDMENT NUMBER TWO") for ~~one additional~~ a one-year term of September 13, 2012 through and including September 12, 2013;

**WHEREAS**, COUNTY and CONTRACTOR renewed the ORIGINAL CONTRACT on August 13, 2013 as Contract number MA-060-13012122 (hereinafter "AMENDMENT NUMBER THREE") for a one-year term of September 13, 2013 through and including September 12, 2014; ~~desires to continue receiving services from Contractor for one (1) additional one-year term and the CONTRACTOR has agreed to provide these goods/services at the rates set forth in the ORIGINAL AGREEMENT;~~

**WHEREAS**, COUNTY desires to renew the ORIGINAL CONTRACT as Contract number MA-060-14011879 for a one-year term of September 13, 2014 through and including September 12, 2015 and the CONTRACTOR has agreed to provide these goods/services at the rates set forth in the ORIGINAL CONTRACT;

**NOW THEREFORE**, in consideration of the mutual obligations set forth herein, both COUNTY and CONTRACTOR agree as follows:

**ARTICLES**

1. Original ~~Agreement~~ Contract Additional Terms and Conditions, Section 2, **Term of Contract**, is amended to read in its entirety as follows:
  2. Term of Contract:
 

This Contract shall commence upon execution of all necessary signatures, and continue in effect from 9/13/10 through and including 9/12/~~14~~ 15, unless otherwise terminated by COUNTY. The period of 9/13/10 through and including 9/12/11 shall be known as Contract number MA-060-11011448. The period of 9/13/11 through and including 9/12/12 shall be known as Contract number MA-060-12010120. The period of 9/13/12 through and including 9/12/13 shall be known as Contract number MA-060-12012115. The period of 9/13/13 through and including 9/12/14 shall be known as Contract number MA-060-13012122. The period of 9/13/14 through and including 9/12/15 shall be known as Contract number MA-060-14011879. This Contract is non-renewable. ~~This Contract may be renewed for one (1) separate additional one-year term by mutual written agreement of both Parties. The County is not under any obligation to provide Contractor with a reason should it elect not to renew this Contract, nor is the County obligated to provide any prior notice to Contractor of its intent not to renew the Contract.~~
2. The not-to-exceed amount of this Contract term, September 13, 2013 through and including September 12, 2014, shall ~~not exceed~~ be ~~\$19,056.00~~ \$19,620.00.
3. A true and correct copy of the ORIGINAL ~~AGREEMENT~~ CONTRACT (Contract Number MA-060-11011448) is attached hereto as Exhibit A and incorporated by this reference.
4. A true and correct copy of AMENDMENT NUMBER ONE (Contract Number MA-060-12010120) is attached hereto as Exhibit B and incorporated by this reference.
5. A true and correct copy of AMENDMENT NUMBER TWO (Contract Number MA-060-12012115) is attached hereto as Exhibit C and incorporated by this reference.

6. All other provisions of the ORIGINAL ~~AGREEMENT~~ CONTRACT, as amended by AMENDMENT NUMBER ONE and through THREE ~~AMENDMENT NUMBER TWO~~, except as amended herein remain in full force and effect.

**IN WITNESS WHEREOF**, the Parties have executed AMENDMENT NUMBER ~~THREE~~ **FOUR** to Contract Number MA-060-11011448.

**Contractor: Siemens Industry, Inc.**

By: \_\_\_\_\_ Title: \_\_\_\_\_  
Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

**Contractor\*: Siemens Industry, Inc.**

By: \_\_\_\_\_ Title: \_\_\_\_\_  
Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

\*If a corporation, the document must be signed by two corporate officers. The first signature must be either the Chairman of the Board, President, or any Vice President. The second signature must be the secretary, an assistant secretary, the Chief Financial Officer, or any assistant treasurers. **In the alternative, a single corporate signature is acceptable when accompanied by a corporate document demonstrating the legal authority of the signature to bind the company.**

**County Of Orange**

A political subdivision of the State of California



Sheriff-Coroner Department

By: \_\_\_\_\_ Title: \_\_\_\_\_  
Date: \_\_\_\_\_

APPROVED AS TO FORM  
COUNTY COUNSEL

\_\_\_\_\_  
Deputy

**EXHIBIT A**

ORIGINAL ~~AGREEMENT~~ CONTRACT (Contract Number MA-060-11011448)

**EXHIBIT B**

AMENDMENT NUMBER ONE (Contract Number MA-060-12010120)

**EXHIBIT C**

AMENDMENT NUMBER TWO (Contract Number MA-060-12012115)

**EXHIBIT D**

**AMENDMENT NUMBER THREE (Contract Number MA-060-13012122)**