

## **SECOND AMENDMENT TO AGREEMENT**

THIS SECOND AMENDMENT TO AGREEMENT (Amendment) made and entered into effective the 18th day of August 2022, between the CITY OF FRESNO, a California municipal corporation (City), and OpenGov, Inc., a Delaware corporation (Consultant).

### **RECITALS**

WHEREAS, the City and the Consultant entered into an agreement on September 15, 2020, (Agreement) to provide software services, support, and professional services (the Project); and

WHEREAS, the City and the Consultant extended the Agreement to September 6, 2022, in the first contract amendment; and

WHEREAS, the City and the Consultant desire to extend the Agreement to September 6, 2023, to complete the Project; and

WHEREAS, with entry into this Amendment, the Consultant agrees it has no claim, demand, or dispute against the City.

### **AGREEMENT**

NOW, THEREFORE, the parties agree that the aforesaid Agreement be amended as follows:

1. The recitals to this Amendment are incorporated and made a part of this Amendment.
2. The Agreement is extended to September 6, 2023.
3. Consultant's compensation for performance of all services required or rendered pursuant to this Change Order Amendment shall be Ninety-Nine Thousand and One-hundred and Fifty and 00/100 Dollars (\$99,150).
4. Except as otherwise provided herein, the Agreement entered into by the City and the Consultant on September 15, 2020, remains in full force and effect.

**[Signatures follow on the next page.]**

IN WITNESS WHEREOF, the Parties have executed this Amendment at Fresno, California, the day and year first above written.

CITY OF FRESNO,  
A municipal corporation

OpenGov, Inc.,  
A Delaware corporation

By: \_\_\_\_\_  
Georgeanne A. White,  
City Manager

DocuSigned by:  
By: Paul H. Denton 8/1/2022  
A7E3687D6FFE426...

Name: Paul Denton

Title: CFO  
(If corporation or LLC., Board Chair,  
Pres. or Vice Pres.)

APPROVED AS TO FORM:  
RINA M. GONZALES  
Interim City Attorney

DocuSigned by:  
By: Angela M. Karst 8/3/2022  
0A6F88F889DD447...  
Angela M. Karst Date  
Deputy City Attorney

DocuSigned by:  
By: Warenya Simbeck 8/2/2022  
CDB229D77FA24E1...

Name: Warenya Simbeck

Title: Senior Finance Director  
(If corporation or LLC., CFO., Treasurer,  
Secretary or Assistant Secretary)

ATTEST:  
TODD STERMER, CMC  
City Clerk

By: \_\_\_\_\_  
Date  
Deputy

Addresses:  
CITY:  
City of Fresno  
Attention: Georgeanne White  
2600 Fresno St.  
Fresno, CA 93721  
Telephone No: (559) 621-7770  
FAX: (559) 457-1413

CONSULTANT:  
OpenGov, Inc.,  
Attention: Paul Denton, CFO  
PO Box 41340  
San Jose, CA 95160  
Telephone No. (415) 230-9472  
FAX: