

FIRST AMENDMENT TO AGREEMENT

THIS FIRST AMENDMENT TO AGREEMENT (Amendment) made and entered into as of this 9th day of April 2020, amends the Agreement entered into between the CITY OF FRESNO, a municipal corporation (City), and INFOR (US), INC., a Delaware corporation (Consultant). The City and the Consultant are collectively referred as the "Parties" in this Amendment.

RECITALS

WHEREAS, City and Consultant entered into an Agreement dated October 25, 2018, for Infor Enterprise Asset Management (EAM) Implementation Services for the Department of Public Utilities (DPU) and Department of Public Works (DPW), and

WHEREAS, City desires to amend the original scope of work to include additional implementation services within DPU Wastewater Management Division, for additional services related to the project; and

WHEREAS, the City and the Consultant desire to extend the Agreement to June 30, 2020, to complete the project; and

AMENDMENT

NOW, THEREFORE, the Parties agree that the Agreement is amended as follows:

1. Consultant shall provide additional services as described in Attachment A, attached hereto and incorporated herein by reference
2. Consultant's sole compensation for satisfactory performance of all services required or rendered pursuant to this Amendment shall be a total fee not to exceed \$236,440.
3. The term of the Agreement shall be extended to June 30, 2020.
4. This Amendment shall become part of and subject to the terms and conditions of the Agreement, which except as modified herein, remains unchanged and in full force and effect. However, to the extent that the terms and conditions expressly set forth in this Amendment conflict with the terms and conditions of the Agreement, the terms and conditions expressly set forth in this Amendment will prevail. Unless otherwise defined in this Amendment, capitalized terms used herein shall have the meanings assigned to such terms in the Agreement.

By signing below, the undersigned certify that they have read and understand, and agree to be legally bound by this Amendment.

[SIGNATURES FOLLOW ON THE NEXT PAGE.]

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

CITY OF FRESNO,
a California municipal corporation

INFOR (US) INC.,
a Delaware corporation

By: *Michael Carbajal*
Michael Carbajal, Director
Department of Public Utilities

By: *Gregory M. Giangiordano*
Name: Gregory M. Giangiordano
President and General Counsel
Title: _____
(If corporation or LLC., Board Chair, Pres. or Vice Pres.)

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: *Brandon Collet* *4/29/2020*
Brandon Collet Date
Senior Deputy City Attorney

By: *Bradford E. Steiner*
Name: Bradford E. Steiner
Title: SVP, Deputy General Counsel and Secretary
(If corporation or LLC., CFO, Treasurer, Secretary or Assistant Secretary)

ATTEST:
YVONNE SPENCE, CRM MMC
City Clerk

By: *Marco Martinez* *5/1/2020*
Deputy Date
Marco Martinez

Addresses:
CITY:
City of Fresno
Attention: John Turnipseed, Project
Manager
5607 W. Jensen Ave
Fresno, CA 93706
Phone: (559) 621-5295
FAX: (559) 457-1595

CONSULTANT:
Infor (US), Inc.
Attention: Lindsay Pritchard
Associate General Counsel
380 St. Peter Street
St. Paul, MN 55102
Phone: (651) 767-7000
FAX: (651) 767-4927

Attachments:
Original Agreement between Infor, Inc., and City of Fresno
First Amendment
Attachment A