

**FIRST AMENDMENT TO  
TULARE COUNTY AGREEMENT NO. 28273**

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**THIS FIRST AMENDMENT** ("Amendment") to Tulare County Agreement Number 28273 (the "Agreement") is entered into by and between the **COUNTY OF TULARE** ("COUNTY") and **Government Payment Service, Inc** (d/b/a "GovPayNet", a Delaware corporation, having a principal place of business at 7102 Lakeview Parkway West Drive, Indianapolis, Indiana 46248, referred to as GPS, ("CONTRACTOR") as of \_\_\_\_\_, with reference to the following:

- A. The COUNTY and CONTRACTOR entered into the Agreement on July 1, 2017, to obtain the services of accept credit and/or debit card payments made by consumers on behalf of the COUNTY for the purpose of collecting restitution from probationers.
- B. COUNTY and CONTRACTOR now wish to amend the Agreement in order to extend the term for one additional year.

**ACCORDINGLY, COUNTY and CONTRACTOR** agree as follows:

- A. Section III of the Agreement is hereby revised to read as follows:
  - 1. **TERM:** This Agreement shall become effective as of July 1, 2017 and shall expire at 11:59 PM on June 30, 2019, unless otherwise terminated as provided in this Agreement.
- B. This First Amendment becomes effective as of July 1, 2018.
- C. Except as provided above, all other terms and conditions of the Agreement shall remain in full force and effect.

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THE PARTIES, having read and considered the above provisions, indicate their agreement by their authorized signatures below.

**GOVERNMENT PAYMENT SERVICE, INC.**

Date Mar 2, 2018

By Mark E. MacKenzie  
Print Name MARK E. MACKENZIE  
Title MANAGING DIRECTOR

Date Mar 9, 2018

By Brian Kibble-Smith  
Print Name Brian Kibble-Smith  
Title Assistant Secretary

[Pursuant to Corporations Code section 313, County policy requires that contracts with a Corporation be signed by both (1) the chairman of the Board of Directors, the president or any vice-president (or another officer having general, operational responsibilities), and (2) the secretary, any assistant secretary, the chief financial officer, or any assistant treasurer (or another officer having recordkeeping or financial responsibilities), unless the contract is accompanied by a certified copy of a resolution of the corporation's Board of Directors authorizing the execution of the contract. Similarly, pursuant to California Corporations Code section 17703.01, County policy requires that contracts with a Limited Liability Company be signed by at least two managers, unless the contract is accompanied by a certified copy of the articles of organization stating that the LLC is managed by only one manager.]

**COUNTY OF TULARE**

Date \_\_\_\_\_

By \_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST: MICHAEL C SPATA  
County Administrative Officer/Clerk of the Board  
of Supervisors of the County of Tulare

By \_\_\_\_\_  
Deputy Clerk

Approved as to Form:  
County Counsel

By \_\_\_\_\_  
Deputy

Matter # \_\_\_\_\_