

**AGREEMENT
DOMINION VOTING SYSTEMS, INC.**

SECOND AMENDMENT TO AGREEMENT

Tulare County Agreement Number 22570 between the **COUNTY OF TULARE**, hereinafter referred to as “**COUNTY**” and **DOMINION VOTING SYSTEMS, INC.** hereinafter referred to as “**CONTRACTOR**,” is amended, effective December 5, 2014, with reference to the following:

WHEREAS:

A. The **COUNTY** and **SEQUOIA VOTING SYSTEMS, INC.** entered into Agreement No. 22570, on December 20, 2005, for the purpose of providing Insight Optical Scan and AVC Edge for the precinct voting; 400-C Optech Absentee Tabulator; and WinEDS Software License Agreement; and

B. Agreement 22570 was assigned to **CONTRACTOR**, with **COUNTY**’S permission, on September 28, 2010; and

C. Agreement 22570 included a Software License, subject to an annual fee; and

D. Under the Software License, **COUNTY** is “Licensee” and **CONTRACTOR** is “Licensor”; and

E. The **COUNTY** and **CONTRACTOR** desire to renew the Software License;;

ACCORDINGLY, IT IS AGREED:

I. Effective December 20, 2015, Appendix 1, License Fee is hereby amended to read:

APPENDIX 1, LICENSE FEE

The License Fee for the use of the WinEDS® and related software in accordance with this agreement is \$22,500.00 per year.

RENEWALS

At the end of each renewal term, the Licensor has the right to adjust the yearly fee to within 5% of the then-current yearly fee for the next renewal term.

2014-2017: The Licensee agrees to pay the sum of \$67,500 to the Licensor for a three-year License for the use of the WinEDS and related software, in accordance with this Agreement, covering the term of December 5, 2014 through December 4, 2017.

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II. Except as provided above, all other terms and conditions of Agreement No. 22570 shall remain in full force and effect.

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

COUNTY OF TULARE

Date _____

By _____
Chairman, Board of Supervisors

ATTEST: JEAN M. ROUSSEAU
County Administrative Officer/Clerk of the Board
of Supervisors of the County of Tulare

By _____
Deputy Clerk

DOMINION VOTING SYSTEMS, INC.

By _____
Title _____

Date _____

By _____
Title _____

Date _____

Corporations Code Section 313 requires that contracts with a corporation shall be signed by the (1) chairman of the Board, the president or any vice-president and (2) the secretary, any assistant, the chief financial officer, or any assistant treasurer; unless the contract is also accompanied by a certified copy of the Board of Directors resolution authorizing the execution of the contract.

Approved as to Form
County Counsel

By _____
Deputy County Counsel

Date _____