

## Amendment No. 7 to Enterprise Agreement #00276175.0 (19-803)



**San Bernardino County ("County")** and **Environmental Systems Research Institute, Inc. ("Esri")** have entered into Enterprise License Agreement #00276175.0, County contract 19-803, (the "Agreement") on December 20, 2019, as previously amended. The parties now amend the Agreement to add nineteen (19) additional Advantage Program Learning and Service Credit bundles, as follows:

- A. **APPENDIX B, EA FEE SCHEDULE**, is amended to add the following immediately after the paragraph titled Learning and Service Credits Bundles.

***Learning and Service Credits***

*The County hereby purchases nineteen Advantage Program Learning and Service Credit bundles of 50 credits each at a price of \$649,800. For avoidance of doubt, the asterisked paragraph shall not apply to the Learning and Services Credits purchased under this Amendment No. 7.*

- B. **Campaign Contribution Disclosure (SB 1439)**. Esri has disclosed to the County using Attachment 1 - Campaign Contribution Disclosure Senate Bill 1439, whether it has made any campaign contributions of more than \$250 to any member of the Board of Supervisors or other County elected officer [Sheriff, Assessor-Recorder-Clerk, Auditor-Controller/Treasurer/Tax Collector and the District Attorney] within the earlier of: (1) the date of the submission of Esri's proposal to the County, or (2) 12 months before the date this Amendment was approved by the Board of Supervisors. Esri acknowledges that under Government Code section 84308, Esri is prohibited from making campaign contributions of more than \$250 to any member of the Board of Supervisors or other County elected officer for 12 months after the County's consideration of the Amendment. In the event of a proposed amendment to the Agreement, Esri will provide the County a written statement disclosing any campaign contribution(s) of more than \$250 to any member of the Board of Supervisors or other County elected officer within the preceding 12 months of the date of the proposed amendment. Campaign contributions include those made by any agent/person/entity on behalf of Esri or by a parent, subsidiary or otherwise related business entity of Esri.
- C. All other terms and conditions of the Agreement shall remain in full force and effect, except as amended herein. The Agreement and this Amendment are the sole and final agreement of the parties and supersede any previous agreements, understandings, and arrangements relating to such subject matter.
- D. This Amendment may be executed in any number of counterparts, each of which so executed shall be deemed to be an original, and such counterparts shall together constitute one and the same Amendment to the Agreement. The parties shall be entitled to sign and transmit an electronic signature of this Amendment (whether by facsimile, PDF, or other email transmission), which signature shall be binding on the party whose name is contained therein. Each party providing an electronic signature agrees to promptly execute and deliver to the other party an original signed Amendment upon request.

IN WITNESS WHEREOF, the parties have executed this Amendment No. 7 as of the date of the last party to sign below.

SAN BERNARDINO COUNTY  
(County)

By: \_\_\_\_\_  
Authorized Signature

Printed Name: Dawn Rowe

Title: Chair, Board of Supervisors

Date: \_\_\_\_\_

ENVIRONMENTAL SYSTEMS RESEARCH  
INSTITUTE, INC.  
(Esri)

By: *Tamisa Greening*  
Authorized Signature

Printed Name: Tamisa Greening

Title: Director, Contracts & Legal

Date: Mar 21, 2024



# Attachment 1

## Campaign Contribution Disclosure (Senate Bill 1439)

### DEFINITIONS

Actively supporting the matter: (a) Communicate directly with a member of the Board of Supervisors or other County elected officer [Sheriff, Assessor-Recorder-Clerk, District Attorney, Auditor-Controller/Treasurer/Tax Collector] for the purpose of influencing the decision on the matter; or (b) testifies or makes an oral statement before the County in a proceeding on the matter for the purpose of influencing the County’s decision on the matter; or (c) communicates with County employees, for the purpose of influencing the County’s decision on the matter; or (d) when the person/company’s agent lobbies in person, testifies in person or otherwise communicates with the Board or County employees for purposes of influencing the County’s decision in a matter.

Agent: A third-party individual or firm who, for compensation, is representing a party or a participant in the matter submitted to the Board of Supervisors. If an agent is an employee or member of a third-party law, architectural, engineering or consulting firm, or a similar entity, both the entity and the individual are considered agents.

Otherwise related entity: An otherwise related entity is any for-profit organization/company which does not have a parent-subsidary relationship but meets one of the following criteria:

- (1) One business entity has a controlling ownership interest in the other business entity;
- (2) there is shared management and control between the entities; or
- (3) a controlling owner (50% or greater interest as a shareholder or as a general partner) in one entity also is a controlling owner in the other entity.

For purposes of (2), “shared management and control” can be found when the same person or substantially the same persons own and manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees, or otherwise share activities, resources, or personnel on a regular basis; or there is otherwise a regular and close working relationship between the entities.

Parent-Subsidiary Relationship: A parent-subsidiary relationship exists when one corporation has more than 50 percent of the voting power of another corporation.

**Contractors must respond to the questions on the following page. If a question does not apply respond N/A or Not Applicable.**

1. Name of Contractor: Environmental Systems Research Institute, Inc.
2. Is the entity listed in Question No. 1 a non-profit organization under Internal Revenue Code section 501(c)(3)?  Yes <input type="checkbox"/> If yes, skip Question Nos. 3 - 4 and go to Question No. 5.  No <input checked="" type="checkbox"/>
3. Name of Principal (i.e., CEO/President) of entity listed in Question No. 1, <u>if</u> the individual actively supports the matter <u>and</u> has a financial interest in the decision: N/A

4. If the entity identified in Question No.1 is a corporation held by 35 or less shareholders, and not publicly traded (“closed corporation”), identify the major shareholder(s): The Jack and Laura Dangermond Trust, established under the laws of the State of California on October 7, 2000, owns 100% of the outstanding voting, and equity securities of Environmental Systems Research Institute, Inc. Jack and Laura Dangermond are the trustees and sole beneficiaries of the trust.

5. Name of any parent, subsidiary, or otherwise related entity for the entity listed in Question No. 1 (see definitions above):

Company Name	Relationship
N/A	

6. Name of agent(s) of Contractor:

Company Name	Agent(s)	Date Agent Retained (if less than 12 months prior)
N/A		

7. Name of Subcontractor(s) (including Principal and Agent(s)) that will be providing services/work under the awarded contract if the subcontractor (1) actively supports the matter and (2) has a financial interest in the decision and (3) will be possibly identified in the contract with the County or board governed special district:

Company Name	Subcontractor(s):	Principal and/or Agent(s):
N/A		

8. Name of any known individuals/companies who are not listed in Questions 1-7, but who may (1) actively support or oppose the matter submitted to the Board and (2) have a financial interest in the outcome of the decision:

Company Name	Individual(s) Name
N/A	

9. Was a campaign contribution, of more than \$250, made to any member of the San Bernardino County Board of Supervisors or other County elected officer within the prior 12 months, by any of the individuals or entities listed in Question Nos. 1-8?

No  If **no**, please skip Question No. 10.

Yes  If **yes**, please continue to complete this form.

10. Name of Board of Supervisor Member or other County elected officer: \_\_\_\_\_ Name of

Contributor: N/A

Date(s) of Contribution(s): \_\_\_\_\_

Amount(s): \_\_\_\_\_

Please add an additional sheet(s) to identify additional Board Members or other County elected officers to whom anyone listed made campaign contributions.

By signing below, Contractor certifies to the best of its knowledge and belief that the statements made herein are true and correct. Contractor understands that the individuals and entities listed in Question Nos. 1-8 are prohibited from making campaign contributions of more than \$250 to any member of the Board of Supervisors or other County elected officer while this matter is pending and for 12 months after a final decision is made by the County.



\_\_\_\_\_  
Signature  
Director, Contracts & Legal

Tamisa Greening

Print Name

Mar 21, 2024

\_\_\_\_\_  
Date

ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC.

Print Entity Name, if applicable

# A - 7 - Enterprise Agreement

Final Audit Report

2024-03-22

Created:	2024-03-21
By:	Joe Collins (jcollins@esri.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAZ0FIRbj6MtEEA0Z54MP_0BC8HtQdgvBR

## "A - 7 - Enterprise Agreement" History

-  Document created by Joe Collins (jcollins@esri.com)  
2024-03-21 - 11:08:57 PM GMT- IP address: 13.110.78.8
-  Document emailed to Tamisa Greening (tgreening@esri.com) for signature  
2024-03-21 - 11:11:25 PM GMT
-  Email viewed by Tamisa Greening (tgreening@esri.com)  
2024-03-21 - 11:12:05 PM GMT- IP address: 47.149.101.218
-  Document e-signed by Tamisa Greening (tgreening@esri.com)  
Signature Date: 2024-03-22 - 1:38:50 AM GMT - Time Source: server- IP address: 47.149.101.218
-  Agreement completed.  
2024-03-22 - 1:38:50 AM GMT