



Contract Number
19-245 A6

SAP Number
4400011628

Project and Facilities Management Department Project Management Division

Department Contract Representative	Robert Gilliam
Telephone Number	(909) 387-5000
Contractor	Aurigo Software Technologies Inc.
Contractor Representative	Josh Moriarty
Telephone Number	(631) 824-4050
Contract Term	April 30, 2019 – April 29, 2025
Original Contract Amount	\$ 209,152
Amendment No. 1 Amount	\$ 147,102
Amendment No. 2 Amount	\$ 101,990
Amendment No. 3 Amount	\$ 8,500
Amendment No. 4 Amount	\$ 267,456
Amendment No. 5 Amount	\$ - (71,652)
Amendment No. 6 Amount	\$ 0
Total Contract Amount	\$ 662,548
Cost Center	7700001000

IT IS HEREBY AGREED AS FOLLOWS:

AMENDMENT No. 6

CONTRACT No. 19-245

CAPITAL PROJECT AND PROGRAM MANAGEMENT SOFTWARE CONTRACT

The following is an amendment to Contract No. 19-245 between Aurigo Software Technologies Inc., ("Contractor") and San Bernardino County ("County") for Capital Project and Program Management Software Services and Subscription for Real Estate Services Department – Program Management.

WHEREAS, following the award of the Contract and during the implementation, Amendment #1 was issued to incorporate additional scope improving the function use of the end product;

WHEREAS, following the award of the Contract Amendment #2 was issued to incorporate additional scope to expand the extent of SAP integration;

WHEREAS, following the award of the Contract Amendment #3 was issued to provide for reimbursement of Contractor travel expenses related to implementation of the capital project and program management software, and exercise a one-year option to extend the Contract from April 30, 2021 through April 29, 2022, but did not provide payment for software licensing for the period of April 30, 2021, through April 29, 2022;

WHEREAS, following the award of the Contract Amendment #4 was issued to exercise two remaining options to extend the Contract from April 30, 2022, through April 29, 2024, in order to facilitate continued licensing of the software, and provide payment for licensing of the software for the period of April 30, 2021 through April 29, 2024, in the amount of \$267,456 (annual cost of \$89,152).

WHEREAS, following the award of the Contract Amendment #5 was issued to provide for a change in software used by the County for the period of April 30, 2023, through April 29, 2024.

WHEREAS, this item provides to extend the current contract term for one (1) year, utilizing one of the two existing one (1) year extension options, for the period of April 30, 2024, through April 29, 2025.

NOW THEREFORE, the Contract is hereby amended as follows. The following changes and their respective costs, which have been claimed by Aurigo Software Technologies Inc., have been added to the Contract:

1. ADD SECTION B.5, CONTRACTOR RESPONSIBILITIES as follows:

Provide Aurigo Essentials training and services to the County at no cost for the period April 30, 2023 through April 29, 2025.

2. REPLACE SECTION D, TERM OF CONTRACT, with the following:

The Contract is effective as of April 30, 2019, and expires April 29, 2025, but may be terminated earlier in accordance with the provisions of this Contract. The contract term may be extended for one additional one-year period by mutual agreement of the parties.

3. REPLACE AURIGO MASTERWORKS ENTERPRISE SOFTWARE SUBSCRIPTION SERVICE AGREEMENT, SECTION 3.3, Renewal, with the following:

The term of this Agreement is as stated in Contract section D.

4. CAMPAIGN CONTRIBUTION DISCLOSURE (SB1439)

Contractor has disclosed to the County using the attached form - 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 Contractor's proposal to the County, or (2) 12 months before the date this Amendment is approved by the Board of Supervisors. Contractor acknowledges that under Government Code section 84308, Contractor is prohibited from making campaign contributions of more than \$250 to any member of the County Board of Supervisors or other County elected officer for 12 months after the County's consideration of the Amendment. Campaign contributions include those made by any agent/person/entity on behalf of the Contractor or by a parent, subsidiary or otherwise related business entity of Contractor.

5. CONTRACT EXECUTION

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. 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.

6. CAPITALIZED TERMS

Any capitalized term used but not defined in this Amendment shall have the meaning given to it in the Contract or the Addendum, as applicable.

7. All other terms and conditions of this Contract shall remain the same.

IN WITNESS WHEREOF, San Bernardino County and the Contractor have each caused this Amendment to be subscribed by its respective duly authorized officers, on its behalf.

SAN BERNARDINO COUNTY

▶ *Dawn Rowe*
Dawn Rowe, Chair, Board of Supervisors

Dated: APR 09 2024
SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIR OF THE BOARD

By *Lynna Monell*
Lynna Monell
Clerk of the Board of Supervisors
of the San Bernardino County
Deputy



AURIGO SOFTWARE TECHNOLOGIES, INC.

By ▶ *Peter C Olds*
(Authorized signature - sign in blue ink)

Name Peter C Olds
(Print or type name of person signing contract)

Title VP, Professional Services
(Print or Type)

Dated: Apr 1, 2024

Address 12515 Research Blvd. Building 7
Austin, TX 78758

FOR COUNTY USE ONLY

Approved as to Legal Form
▶ *Daniel Pasek*
Daniel Pasek (Apr 1, 2024 09:54 PDT)
Daniel Pasek, Deputy County Counsel
Date Apr 1, 2024

Reviewed for Contract Compliance
▶ *Robert Gilliam*
Robert Gilliam, Chief of Project Management
Date Apr 1, 2024

Reviewed/Approved by Department
▶ *Don Day*
Don Day, Director
Date 4/2/24



Campaign Contribution Disclosure (SB 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-subsidiary 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: Aurigo Software Technologies, Inc.

2. Is the entity listed in Question No.1 a nonprofit organization under Internal Revenue Code section 501(c)(3)?
Yes If yes, skip Question Nos. 3-4 and go to Question No. 5
No

3. Name of Principal (i.e., CEO/President) of entity listed in Question No. 1, if the individual actively supports the matter and 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): N/A

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 on or after January 1, 2023, 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: _____

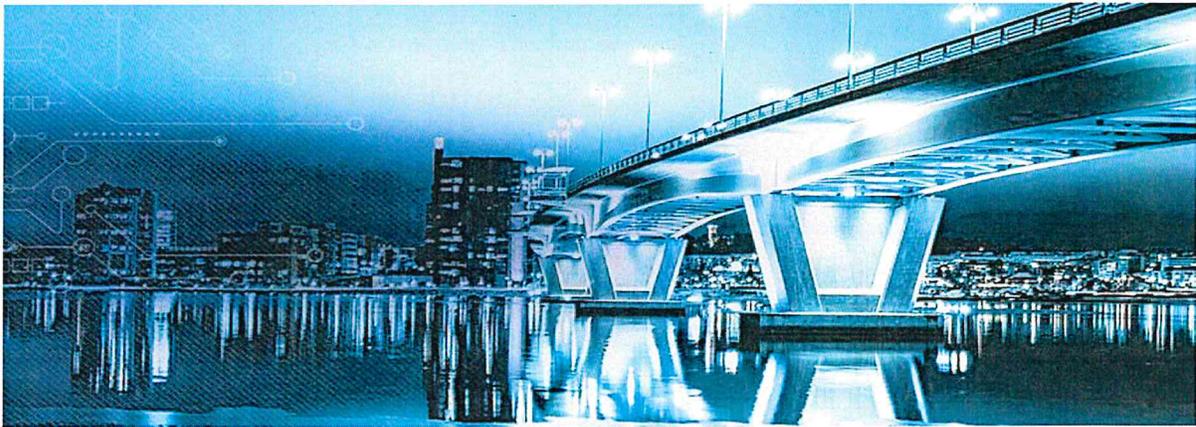
Name of Contributor: _____

Date(s) of Contribution(s): _____

Amount(s): _____

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

By signing the Contract, Contractor certifies 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 award of this Contract is being considered and for 12 months after a final decision by the County.



Change Order #6
San Bernardino County
Contract No. 19-245

Accepted: _____

Date : _____

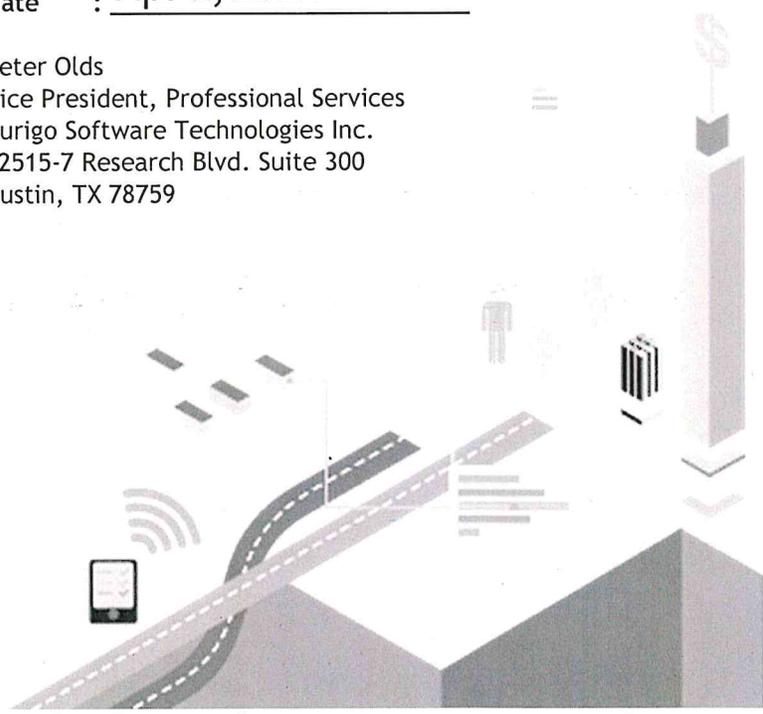
Donald Day
Director, Project & Facilities Management
San Bernardino County
385 N. Arrowhead Avenue
San Bernardino, CA 92415

Accepted: Peter Olds

Date : Apr 1, 2024

aurigo[®]

Peter Olds
Vice President, Professional Services
Aurigo Software Technologies Inc.
12515-7 Research Blvd. Suite 300
Austin, TX 78759



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Document Change Log			
Current Version: 1.0			
Revision History			
Version	Date	Description	Author
1	12/13/2023	Amendment to extend contract for 1 year with updates to software subscription price during this period.	Kayla Koenig

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1 Overview

San Bernardino County (SBC) established contract 19-245 with Aurigo to provide a Comprehensive Capital Project and Program Management Software (PPMS) on May 7, 2019. The contract has been modified over time with five amendments. Amendment 5 replaced PPMS with Aurigo's first level system called Aurigo Essentials, for the period commencing April 30, 2023 through April 29, 2024. The current software subscription license term ends in April 29, 2024. The annual software license subscription fee is \$17,500.00.

This change request is to extend the contract term through April 29, 2025. The annual software license subscription fee will be discounted 100% for the extension period commencing April 30, 2024 through April 29, 2025. All other terms and conditions will remain in effect.

2 Scope of Work

The following section describes the scope of work (SOW), how it was developed, assumptions, what's in scope, out of scope, and the schedule.

This change request is to make the following contract changes:

- A. Extend the contract term by one year to April 29, 2025.
- B. The annual subscription license fee will be discounted 100% for the April 30, 2024 through April 29, 2025 subscription period.

3 Pricing and Payment

3.1 Pricing

<u>Product</u>	<u>Subscription Dates</u>	<u>Amount</u>
Aurigo Essentials	4/30/2024 thru 4/29/2025	\$17,500.00
Discount		-\$17,500.00
Net payment during the subscription period		\$ 0.00

3.2 Payment Terms

- The prices quoted are exclusive of any applicable taxes.
- Payment terms are Net 60 Days