

**FIRST AMENDMENT
TO
CONTRACT NO. 2015109
BETWEEN
MERCED COUNTY
AND
AMS.NET, INC.**

THIS First Amendment is by and between the County of Merced, a political subdivision of the State of California, (hereinafter called "County"), and AMS.NET, Inc. (hereinafter called "Contractor").

WHEREAS, Section 5, Program Utilization Requirements, of Contract No. 2015109 outlines procedures for other public agencies wishing to utilize the Fast Open Contracts Utilization Services (FOCUS) Program; and,

WHEREAS, in each instance in which the provisions of this First Amendment shall contradict or be inconsistent with the provisions of the printed portion of the Agreement, the provisions of this Amendment shall prevail and govern and the contradicted or inconsistent provisions shall be deemed amended accordingly.

NOW THEREFORE, in consideration of the mutual covenants and promises herein contained, the parties hereby agree as follows:

MODIFICATIONS:

- 1) Section 5, entitled "PROGRAM UTILIZATION REQUIREMENTS", is amended as follows:

In order for a public agency to utilize FOCUS contracts, the public agency must first complete a joint powers agreement with Merced County. Agreements are accomplished by referencing vendor's specific FOCUS contract number on each public agency's purchase order, forwarding original to Contractor, and providing an information copy to the Merced County Department of Community and Economic Development via U.S. Mail, fax, or e-mail. For ordering, reporting, and reconciliation procedures, see Contract Attachment 2.

Except as herein modified, all terms and conditions in said Agreement as heretofore approved remain unchanged and in full force and effect.

County of Merced

Signature

JAN 26 2016

Name

Chairman, Board of Supervisors

Title

**AMS.NET, Inc.
Corporate Officer**

Signature

Robert Tocci

Name

President

Title

APPROVED AS TO LEGAL FORM:

James N. Fincher
Merced County Counsel

Deputy

Michael R. Linden