

**THIRD AMENDMENT TO  
RFO 6100000466  
ANNUAL CONTRACT FOR MAGNA SERVICE AGREEMENT**

STATE OF TEXAS           §

COUNTY OF BEXAR       §

This third amendment to RFO 6100000466 - Annual Contract For Magna Service Agreement is entered into by and between the City of San Antonio ("City"), a home rule municipal corporation, and Roche Diagnostics Corporation ("Roche"), referred to collectively herein as the "Parties", pursuant to Ordinance No. 2016 - \_\_ - \_\_ - \_\_\_\_.

**WHEREAS**, City and Roche entered into an agreement entitled "RFO 6100000466 - Annual Contract For Magna Service Agreement" (hereafter "Original Contract"), under which the Parties set forth their agreement for Roche to provide unlimited on site emergency service, technical support and preventive maintenance for City's MagNa Pure Compact instrument, serial number MPCB0945; and

**WHEREAS**, the Original Contract provided for a term beginning July 31, 2011 and ending July 30, 2012; and

**WHEREAS**, the parties amended the Original Contract to add the Magna Pure Lc Instrument, Serial Number: LC2C00000314 to the service agreement and extended the term for the period beginning July 31, 2012 through July 30, 2015;

**WHEREAS**, the parties entered into a second amendment to the Original Contract to extend the term through April 30, 2016; and

**WHEREAS**, the parties now wish to extend the contract for an additional three year period; and

**WHEREAS**, this amendment requires the approval of the San Antonio City Council to become effective;

**NOW, IN ACCORDANCE THEREWITH**, the Parties agree as follows:

**I. AMENDMENTS**

Contract Term. The Original Contract, as previously amended, is hereby extended for a period beginning May 1, 2016 and ending April 30, 2019, under the same terms and conditions, including price, as provided in the Original Contract, as previously amended.

Roche shall invoice City annually, 60 days prior to the start of each one year billing cycle, with the exception of the 2016-2017 billing cycle. Roche shall invoice City upon receipt of City's purchase order for the 2016-2017 billing cycle, which City shall issue promptly after obtaining City Council approval for this amendment.

**II. PROVISIONS REMAIN IN EFFECT**

All other terms, conditions, covenants and provisions of the Original Contract, as previously amended, not specifically mentioned herein and revised by this document, are hereby retained in their entirety, unchanged, and shall remain in full force and effect for the duration of said Original Contract, as amended, and any renewals thereof.

**III. ENTIRE AGREEMENT**

This agreement, as amended, embodies the complete agreement of the parties hereto with regard to the subject matter contained herein, superseding all oral or written previous and contemporary agreements between the parties relating to matters herein.

**EXECUTED** and **AGREED** to as of the dates indicated below.

City of San Antonio

Roche Diagnostics Corporation

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Signature)

Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_  
Title: **Kathy Brittingham-Walker**  
Date: **Manager, Customer Contracting Center**

*Handwritten initials*

Approved as to Form:

\_\_\_\_\_  
Assistant City Attorney

**Changes to this  
Agreement after Roche  
Diagnostics Corporation  
signature are void.**

# Roche Diagnostics Corporation Amendment

Original Agreement #:41113687  
 Schedule #:

Original Agreement or Schedule start date:7/31/2015  
 Original Agreement or Schedule expiration date:4/30/2016

This amendment ("Amendment") amends an existing agreement ("Original Agreement") or schedule ("Schedule") as listed above between Roche Diagnostics Corporation ("RDC, RD, or Roche") and the customer indicated below ("Customer, You, or Your") and is intended by the parties to modify the existing terms and conditions as specifically set forth in this Amendment. The Original Agreement and Schedule shall collectively be referred to herein as "Agreement". All other terms and conditions contained in the Original Agreement or Schedule will remain in full force and effect.

**Customer Information:**

Customer Number	56021585
Customer Name	CITY OF SAN ANTONIO
Street Address	2509 KENNEDY CIR BLDG 125 B LEVEL
City, State, Zip	SAN ANTONIO, TX, 78235-5116
Instrument Model	MAGNA PURE LC INSTRUMENT
Serial Number	LC2C00000314
Service Type	CLASSIC

(Check this Box if the Agreement is only going to be extended for a specific period of time).

The Agreement will be extended for 36 months from the expiration date listed above (the "Extension Period"). COMMENCEMENT DATE: **5/1/2016**  
 Price for the Extension Period shall be: **\$25,350 (\$8,450 PER YEAR)**

Payment Method	Administrative Fee	Please Select One	Please Enter Price
❖ Annual payment in advance	No Additional Fee	<input type="checkbox"/>	\$
❖ Quarterly Payments	\$75 per Year	<input type="checkbox"/>	\$
❖ Monthly Payments	\$300 per Year	<input type="checkbox"/>	\$

Please Total your selections: \$ \_\_\_\_\_

**Customer Changes to this Agreement after Roche Diagnostics Corporation signature are void.**

AUTHORIZED ACCEPTANCE	
<p><b>CITY OF SAN ANTONIO:</b></p> <p>By signing this Amendment you warrant that you have the authority to execute this Amendment on behalf of Customer.</p> <p>By: _____ Date: _____                      (Authorized Customer Signature)</p> <p>Printed Name: _____ Title: _____</p>	<p><b>ROCHE DIAGNOSTICS CORPORATION</b></p> <p>This Amendment is not binding on Roche until signed by an authorized representative of Roche in Indianapolis ("<u>Effective Date</u>")</p> <p>By: <u>Kathy Brittingham-Walker</u> Date: <u>2/22/16</u>                      (Authorized Roche Signature) (Customer Contracting Center) (Date)</p> <p>Printed Name: _____ Title: _____</p>

This Section for Internal Use Only	
Sales Deal Number: Date:	Prepared By: TERRY PRICE Title: 12/14/2015 Date: SALES REPRESENTATIVE

# Roche Diagnostics Corporation Amendment

Original Agreement #: 41113688  
 Schedule #:

Original Agreement or Schedule start date: 7/31/2015  
 Original Agreement or Schedule expiration date: 4/30/2016

This amendment ("Amendment") amends an existing agreement ("Original Agreement") or schedule ("Schedule") as listed above between Roche Diagnostics Corporation ("RDC, RD, or Roche") and the customer indicated below ("Customer, You, or Your") and is intended by the parties to modify the existing terms and conditions as specifically set forth in this Amendment. The Original Agreement and Schedule shall collectively be referred to herein as "Agreement". All other terms and conditions contained in the Original Agreement or Schedule will remain in full force and effect.

**Customer Information:**

Customer Number	<u>55132682</u>
Customer Name	<u>CITY OF SAN ANTONIO</u>
Street Address	<u>332 W COMMERCE ST STE 201</u>
City, State, Zip	<u>SAN ANTONIO, TX 78205-2409</u>
Instrument Model	<u>MAGNA PURE COMPACT</u>
Serial Number	<u>MPCB0945</u>
Service Type	<u>CLASSIC</u>

(Check this Box if the Agreement is only going to be extended for a specific period of time).

The Agreement will be extended for **36** months from the expiration date listed above (the "Extension Period"). COMMENCEMENT DATE: **4/31/2016**

Price for the Extension Period shall be: **\$11,100 (\$3,700 per year)**

Payment Method	Administrative Fee	Please Select One	Please Enter Price
❖ Annual payment in advance	No Additional Fee	<input type="checkbox"/>	\$
❖ Quarterly Payments	\$75 per Year	<input type="checkbox"/>	\$
❖ Monthly Payments	\$300 per Year	<input type="checkbox"/>	\$

Please Total your selections: \$  

AUTHORIZED ACCEPTANCE	
<p><b>CITY OF SAN ANTONIO:</b></p> <p>By signing this Amendment you warrant that you have the authority to execute this Amendment on behalf of Customer.</p> <p>By: _____ Date: _____                      (Authorized Customer Signature)</p> <p>Printed Name: _____ Title: _____</p>	<p><b>ROCHE DIAGNOSTICS CORPORATION</b></p> <p>This Amendment is not binding on Roche until signed by an authorized representative of Roche in Indianapolis ("Effective Date")</p> <p>By: _____ Date: _____                      (Authorized Roche Signature) (Effective Date)</p> <p>Printed Name: _____ Title: _____</p>

This Section for Internal Use Only	
Sales Deal Number: Date:	Prepared By: TERRY PRICE Title: Service Sales Rep Date: 12/14/2015