

**Resolution authorizing a modification to the contract with Nikish Software Corporation approving two amendments and an amended and restated source code escrow agreement regarding Invitation to Bid 2007-21-31 at an increase of \$105,000.00 and settling outstanding invoices in the agreed amount of \$300,000.00 (Franklin County Auditor and Franklin County Treasurer) (\$405,000.00)**

**WHEREAS**, the County awarded the contract to Nikish Software Corporation for the implementation of the Integrated Real Estate Tax Accounting Software Program ("RMS") outlined in the Invitation to Bid 2007-21-31 (the "Contract Award");

**WHEREAS**, the County, on behalf of the Franklin County Treasurer, amended the Contract Award pursuant to the terms of a certain Contract Modification dated December 9, 2008 authorizing the addition of five (5) change orders to the Contract Award;

**WHEREAS**, the Franklin County Auditor and Franklin County Treasurer recommend that the County, on behalf of the Franklin County Auditor and Franklin County Treasurer, modify the terms and conditions of the contract with Nikish Software Corporation that acknowledge and incorporate changes made in the project schedule and additional services rendered and settle all outstanding invoices, upon the terms and conditions of the Second Contract Modification and the Third Contract Modification;

**WHEREAS**, the County has allocated funds in the Real Estate Assessment Fund Budget for this project;

**WHEREAS**, the County, upon recommendation of the Franklin County Auditor and Franklin County Treasurer, wishes the County Administrator to sign the Amended and Restated Source Code Escrow Agreement on behalf of the County; and

**WHEREAS**, the attached Second Contract Modification and Third Contract Modification were executed by Nikish Software Corporation and the County and shall modify the Contract Award, as amended by the terms and conditions of these documents.

**Resolution authorizing a modification to the contract with Nikish Software Corporation approving two amendments and an amended and restated source code escrow agreement regarding Invitation to Bid 2007-21-31 at an increase of \$105,000.00 and settling outstanding invoices in the agreed amount of \$300,000.00 (Franklin County Auditor and Franklin County Treasurer) (\$405,000.00)**

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS, FRANKLIN COUNTY, OHIO;

That the attached Second Contract Modification and Third Contract Modification and the payment in the amount not to exceed \$405,000.00 included therein is hereby approved.

That the attached purchase order proof list, which is individually described in the accompanying Purchase Order Proof List in the amount of \$405,000.00, is hereby approved.

That the County Administrator is authorized to execute the Amended and Restated Source Code Escrow Agreement in substantially the form attached hereto and in the form recommended by the Franklin County Treasurer and Franklin County Auditor.

AGENCY  
Franklin County Auditor

INCREASED CONTRACT AMOUNT  
\$ 405,000.00

Prepared by: Brian Katz

cc: Commissioners  
Auditor  
Treasurer  
Nikish Software Corp.