



4050 Esplanade Way
Tallahassee, FL 32399-0950

Ron DeSantis, Governor
Pedro Allende, Secretary

**AMENDMENT NO. 4 TO RESTATED CONTRACT No.: DMS-14/15-011
BETWEEN
DEPARTMENT OF MANAGEMENT SERVICES
AND
NORTHGATEARINSO, LLC**

This Amendment No. 4 (the “Amendment”) to the Amended and Restated No.: DMS-14/15-011 (the “Contract”), effective as of the date last signed below, is made by and between the Department of Management Services (the “Department”), an agency of the state of Florida (State), located at 4050 Esplanade Way, Tallahassee, Florida 32399, and NorthgateArinso, LLC (the “Service Provider”), located at 810 Hesters Crossing Road, Suite 250, Round Rock, Texas 78681; each a party and collectively referred to herein as the “Parties.”

WHEREAS, the Department, pursuant to the Department’s Human Resource Outsourcing Solicitation No. DMS 14/15-011, entered into the Contract effective August 21, 2016;

WHEREAS, the Parties amended and restated this Contract, effective December 22, 2020, and subsequently renewed the Amended and Restated Contract through August 20, 2026; and

WHEREAS, the Parties wish to amend the Amended and Restated Contract as set forth herein.

NOW THEREFORE, in consideration of the mutual promises contained herein and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the Parties agree as follows:

1. The terms and conditions of the Amended and Restated Contract are incorporated by reference as if fully rewritten herein. Except as expressly amended and supplemented by this Amendment, the terms and conditions of the Amended and Restated Contract will remain in effect unchanged. If and to the extent that any inconsistency may appear between the Amended and Restated Contract and this Amendment, the provisions of this Amendment shall control.
2. **Approved Subcontractor.** By this Amendment, the Department hereby approves Equifax, Inc. (including through its affiliate Equifax Workforce Solutions LLC, formerly TALX Corporation, “Equifax”), as a Subcontractor pursuant to Section 10.31 of the Agreement. Service Provider confirms and agrees that Equifax will perform services and be governed according to the terms and conditions of Service Provider’s written agreement with Equifax and in accordance with requirements of the Contract. The

Department understands and agrees that due to the nature of the technology used by Equifax, the following exceptions to certain of the Contract's requirements for Subcontractors are hereby approved:

- a. The Department agrees that Equifax will follow Equifax's standard background check policy (see attachment 1, CONFIDENTIAL Equifax US Drug Testing and Background Policy) and is exempt from the requirements of section 6.2 of the Contract.
- b. Due to the nature of the Equifax service, the Department understands and agrees the Equifax system environment does not require, and therefore does not maintain an ongoing User Acceptance Test environment.
- c. The Department understands and agrees Equifax maintains a cloud-based technology environment hosted outside of the state of Florida but within the continental United States. Also, Equifax's cloud provider does not allow a tour of their facilities or audit of their services to any customer. Service Provider shall ensure Equifax shall not interfere with its obligations to cooperate with the State's and Department's Inspectors General, pursuant to section 20.055, Florida Statutes, or their compliance with section 216.1366, Florida Statutes.
- d. The Department understands and agrees Equifax maintains a multi-tenant systems environment where SOF Production Data is segregated from other client data and cannot be accessed by other clients, rather than a single tenant environment, and is exempt from conflicting requirements in the Contract.
- e. The Department agrees that Equifax data security measures and standard training on their privacy and security measures are sufficient for the requirements of the Contract as an exception to Service Provider's training requirement for Subcontractors on Service Provider's security plan and provisions. The Subcontractor Affidavit of Compliance for Equifax will be amended to reflect the changes requested in this paragraph.
- f. The Department understands and agrees that Equifax does not provide its Business Continuity Plan for review as Equifax's plan includes its assessment of outside threats to the system and their mitigation and response. Instead, the provision by Equifax of a SOC 2, Type II audit report (which includes a review of their BCP in the scope of that audit) is sufficient to satisfy the requirements of the Contract. In addition, Equifax will also cooperate with the Service Provider to confirm an annual test has been completed, any deficiencies have been identified, and the remediation of those deficiencies is completed.
- g. The Department understands and agrees Equifax provides verification of employment and verification of wages to third parties at the direction of the employee or participant. SOF Production Data (as defined in the Contract)

is only provided when authorized by the employee or participant. Once authorized by the employee or participant, it is impossible for the Service Provider or Equifax to know if the data is being provided to an offshore location as part of the service. Therefore, providing SOF Production Data in this manner to the authorized third party does not constitute a violation of section 6.4 No Offshoring by Service Provider or Equifax.

SIGNATURE PAGE IMMEDIATELY FOLLOWS

IN WITNESS WHEREOF, the Parties agree to the terms and conditions of this Amendment and have duly authorized their respective representatives to sign it on the dates indicated below.

**FLORIDA DEPARTMENT OF
MANAGEMENT SERVICES**

Pedro Allende

Authorized Signature

Pedro Allende

Print Name

Secretary

Title

6/30/2023 | 10:48 AM EDT

Date

NORTHGATEARINSO, LLC

DocuSigned by:

Frank Leistner

Authorized Signature

Frank Leistner

Print Name

SVP Payroll and Professional Services

Title

6/28/2023 | 11:29 AM EDT

Date

ATTACHMENT 1

CONFIDENTIAL Equifax US Drug Testing and Background Policy