SOFTWARE SERVICES AGREEMENT

Date: 28th September 2020

Developer : Bhargav Raut

Email: bhargav.r.raut@gmail.com

Client: Kenneth Ochieng

Email: kochieng@intellisoftkenya.com

Initiation: Client contacted the Developer, for software assitance related to an open source software code authored by the Developer, made freely and publicly available on the open source code sharing site Github.com. This was subsequent to the successfull completion of the previous project for interfacing an XN-550 analyzer by the developer, for the client.

As such the request outlined in his email was for assitance in setting up/using the code, as well as to make some customizations to the code specific to his need, since he was not familiar with the coding language "ruby" used in the codebase. The primary code is freely available to the public to download and use as required.

Link to open source code repository : https://www.github.com/wordjelly/Ruby-ASTM

Purpose of Contract :

The Client would like to use the code with certain customizations for his own purposes. He needs the developer to guide him in this endeavour, and to help setup a working copy of the code, towards objectives as outlined below. The developer agreed to help the client in the same, and the objectives are outlined below.

Objectives covered under the contract:

1. Written instructions to setup Ubuntu Linux 18.04 on a PC.

2. Written instructions to setup Ruby on Rails on the same PC.

3. Written instructions to setup the RUBY-ASTM library on the above PC.

4. Written instructions to configure(software settings) the PC to be connected to a Sysmex XP300 analyzer, provided that the analyzer has been configured by the client to be working in the ASTM-compliant mode.

5. Written instructions to receive data from the Sysmex XP300 analyzer to the PC, and obtain from the Ruby-ASTM library an output of this data in a .csv file.

6. Assist in debugging the above objectives over the period of 5 working days, 1 hour per day at a predefined time, convenient to both parties.(CHARGES SPECIFIED IN THE CHARGES TABLE)

7. Provide a zip file with the source code inclusive of the required customizations to execute objective (5)

The endpoint of the contract is defined as the receipt of the source code by the client, on a private bitbucket repository.

The actual process of installation, execution of commands on the PC, connecting the various components required, will all be taken care of by the CLIENT, following the instructions as provided by the developer. The developer will not directly interact with the PC, either remotely or otherwise.

Services NOT UNDER THE SCOPE of the contract:

1. A Working XP-300 analyzer, ethernet/other cables to connect the analyzer to a router/modem, and further cabling to make sure that these are connected to the PC.

2. A working PC, that has hardware specifications to run the above software.

3. Debugging/troubleshooting the software beyong the time frame described below in "Duration".

4. Debugging any language/hardware other "field" level issues, that the developer cannot be reasonably expected to solve remotely.

<u>Duration of Contract /CHARGES:</u>

The present contract is split into two parts.

Part 1 : The developer has modified his library to suit the customizations of the client. Charges for this amount are fixed at 550 USD. The client will pay this amount in two parts:

A. Upfront – 450 USD : before the developer releases the code to the client (Either on 29/30 september 2020)

B. Deferred Payment – 100 USD : by the 5th or 6th of October 2020.

Part 2 : The developer will assist the client over a period of 3 working days, 1 hour per day, when the client has the chance to implement the code at his end, in the real world. The client will inform the developer a minimum of 2-3 days in advance, in order to fix a mutually acceptable time.

The payment for this part is fixed at: USD 175

<u>Liability:</u>

Software code, instructions and assistance is provided without any Warranty. The developer is not liable to damages/liability of any kind arising from the Client's use of the software, setup instructions outlined in the objective, including but not limited to any corruption/software setting disruption on the XP-300 analyzer, the PC, or any of the components involved. The Client indemnifies the Developer from any claims of damanges/loss arising from the execution of this contract. Indemnification will continue, even if the contract is terminated before its natural expiry.

Rights and Partnership:

The agreement does not constitute a partnership of any kind between the Client and Developer or any of its subsidiaries.

The agreement does not grant any rights, to either party, except the fulfillment of objectives as already indicate.

Termination:

The agreement can be terminated by either party with 2 days written notice via email notification.

Dispute:

Any dispute arising out of the contract will be first attempted to be amicably resolved between the two parties, failing which any arbitration, will be governed in the English Language, and will be under the jurisdiction of the Court of Shivajinagar, Pune, Maharashtra, India.

Appendix 1:

FOLLOWING FIELDS WILL BE PRESENT IN THE CSV OUTPUT:

Time

Machine Id

Sample Id

Patient Id

COMMON WITH XN550
WBC
RBC
HGB
HCT
MCV
MCH
MCHC
PLT
RDW-SD

RDW-CV
PDW
MPV
PCT

DIFFERENT FROM XN550
W-SCR
W-MCR
W-LCR
W-SCC
W-MCC
W-LCC
P-LCR
W-SMV
W-LMV

Note: * The following statement in the specification manual of the XP300 says:

“This diagram assumes that the data link layer conforms to E1381-02. In ASTM E1381 non-compliant mode,
ENQ, ACK and EOT processing are not performed.”

** **However the manual also says in another page (Presentation-Layer obeys the ASTM protocol even in non-ASTM compliant mode) This means that the data-structure that we receive will still follow the ASTM protocol for data-presentation.***

Based on the above :

Thus, in the LAN Mode, the library may not perform as expected, as the machine switches to non ASTM compliant mode.

In this case the client will have to switch to using a serial cable for the XP300 as per their wire diagram, and run a serial connection in the library. We can look into this matter at the time of debugging, once the program is executed in the real world scenario, for the moment, the developer expects that the library should perform even in the LAN mode.

Contact Details And Signature:

Mr.Kenneth Ochieng :

Phone Number:

Address:

Signature:

Mr.Bhargav Raut

Phone Number:

Address:

Signature: