

AMENDMENT NUMBER ~~FOUR~~ FIVE
 TO
 CONTRACT MA-060-15010542
 BETWEEN THE
 COUNTY OF ORANGE
 AND
 GLOBAL TEL*LINK CORPORATION

This AMENDMENT NUMBER ~~FOUR~~ FIVE to Contract Number MA-060-15010542 (hereinafter “AMENDMENT ~~FOUR~~ FIVE”) between the County of Orange, a political subdivision of the State of California (hereinafter “COUNTY”), and Global Tel * Link Corporation (hereinafter “CONTRACTOR”), with a business address of ~~12021 Sunset Hills Road, Suite 100, Reston, VA 20190~~ 3120 Fairview Park Drive, Suite 300, Falls Church, VA 22042, is made upon execution of all necessary signatures.

RECITALS

WHEREAS, COUNTY and CONTRACTOR executed a CONTRACT for Inmate Telephone Services on November 25, 2014, Contract Number MA-060-15010542 (hereinafter “ORIGINAL CONTRACT”) for a three (3) year term of November 25, 2014 through and including November 24, 2017;

WHEREAS, the Federal Communications Commission (“FCC”) issued its Second Report and Order and Third Further Notice of Proposed Rulemaking in WC Docket No. 12-375 on November 5, 2015 (“FCC Order”), which mandated rates, charges, fees, and other requirements; and

WHEREAS, COUNTY and CONTRACTOR retroactively modified the ORIGINAL CONTRACT on October 17, 2017 in order to implement the FCC mandated rates, charges, fees and other requirements, as further provided below effective June 20, 2016; and

WHEREAS, COUNTY and CONTRACTOR renewed the ORIGINAL CONTRACT as Contract Number MA-060-18010006 (hereinafter “AMENDMENT NUMBER ONE”) for a for one year term of November 25, 2017 through and including November 24, 2018; and

WHEREAS, COUNTY renewed the ORIGINAL CONTRACT as Contract Number MA-060-19010051 (hereinafter “AMENDMENT NUMBER TWO”) for a six month term of November 25, 2018 through and including May 24, 2019; and

WHEREAS, the Orange County Board of Supervisors (“Board”), at the November 6, 2018 Board Meeting, delegated the authority to the Orange County Sheriff’s Department to execute on behalf of COUNTY an additional six month extension with the option to renew for an additional six month period; and

WHEREAS, COUNTY and CONTRACTOR renewed the ORIGINAL CONTRACT as Contract Number MA-060-19011730 for a term of May 25, 2019 through and including November 24, 2019, with the option to renew for an additional six month period, and COUNTY and CONTRACTOR amended Paragraph P., Insurance Provisions, of the ORIGINAL CONTRACT in

its entirety, and amended Paragraph S., Change of Ownership, of the ORIGINAL CONTRACT in its entirety, and the CONTRACTOR has confirmed in writing that they understand and are in compliance with the County's Conflict of Interest Policy as stated in Paragraph S herein (hereinafter "AMENDMENT NUMBER THREE");

WHEREAS, COUNTY and CONTRACTOR renewed the ORIGINAL CONTRACT as Contract number MA-060-20010498 for a six month term of November 25, 2019 through and including May 24, 2020 (hereinafter "AMENDMENT NUMBER FOUR") ~~desires to renew the ORIGINAL CONTRACT as Contract number MA-060-20010498 for a six month term of November 25, 2019 through and including May 24, 2020, and the CONTRACTOR has agreed to provide the services as set forth in this AMENDMENT NUMBER FOUR;~~

WHEREAS, COUNTY desires to renew the ORIGINAL CONTRACT as Contract number MA-060-20011176 for a one year term of May 25, 2020 through and including May 24, 2021, and the CONTRACTOR has agreed to provide these services as set forth in the ORIGINAL CONTRACT, as amended

NOW THEREFORE, in consideration of the mutual obligations set forth herein, both COUNTY and CONTRACTOR agree as follows:

1. ARTICLES

- a. Additional Terms and Conditions, Section "Term of Contract", of the ORIGINAL CONTRACT is amended to read in its entirety as follows:

1. Term of Contract:

This Contract shall commence upon execution of all necessary signatures, and continue in effect from 11/25/14 through and including ~~5/24/20~~ 5/24/21, unless otherwise terminated by County. The period of 11/25/14 through and including 11/24/17 shall be known as Contract number MA-060-15010542. The period of 11/25/17 through and including 11/24/18 shall be known as Contract number MA-060-18010006. The period of 11/25/18 through and including 5/24/19 shall be known as Contract number MA-060-19010051. The period of 5/25/19 through and including 11/24/19 shall be known as Contract Number MA-060-19011730. The period of 11/25/19 through and including 5/24/20 shall be known as Contract number MA-060-20010498. The period of 5/25/20 through and including 5/24/21 shall be known as Contract number MA-060-20011176. The County is not under any obligation to provide Contractor with a reason should it elect not to renew this Contract, nor is the County obligated to provide any prior notice to Contractor of its intent not to renew the Contract.

- b. Additional Terms and Conditions, paragraph #27, Revenue Sharing and Commission Payments, is amended in part as follows:

The following language is deleted, "Effective November 25, 2017, Contractor will pay the County a monthly administration cost reimbursement fee in the sum of Twenty Two Thousand Dollars (\$22,000) ("Administration Fee"). The Administration Fee will be disbursed concurrently with the monthly commission payable to the County" and

replaced with, “Effective May 1, 2020, Contractor will pay the County a monthly administration cost reimbursement fee in the sum of Forty Two Thousand Eight Hundred and Thirty Three Dollars and Thirty Three Cents (\$42,833.33) (“Administration Fee”). The Administration Fee will be disbursed concurrently with the monthly commission payable to the County.”

1. A true and correct copy of the ORIGINAL CONTRACT (Contract Number MA-060-15010542) is attached hereto as Exhibit A and incorporated by this reference.
2. A true and correct copy of AMENDMENT NUMBER ONE (Contract Number MA-060-18010006) is attached hereto as Exhibit B and incorporated by this reference.
3. A true and correct copy of AMENDMENT NUMBER TWO (Contract Number MA-060-19010051) is attached hereto as Exhibit C and incorporated by this reference.
4. A true and correct copy of AMENDMENT NUMBER THREE (Contract Number MA-060-19011730) is attached hereto as Exhibit D and incorporated by this reference.
5. A true and correct copy of AMENDMENT NUMBER FOUR (Contract Number MA-060-20010498) is attached hereto as Exhibit E and incorporated by this reference.
6. All other provisions of the ORIGINAL CONTRACT and AMENDMENT NUMBERS ONE through ~~THREE~~ FOUR, except as amended herein and to the extent they are not inconsistent with this AMENDMENT NUMBER ~~FOUR~~ FIVE, remain unchanged and in full force and effect.

Contract Signature Page

The Parties hereto have executed this Contract on the dates shown opposite their respective signatures below

CONTRACTOR*: GLOBAL TEL*LINK CORPORATION

Signature

~~Jonathan Walker~~ Alicia Freeman

Print Name

~~Executive Vice President, Business Development~~ Vice President – Contracts & Procurement

Title

Date

Signature

John Pitsenberger

Print Name

Chief Financial Officer
Title

Date

* If the contracting party is a corporation, **(2) two signatures are required:** one (1) signature by the Chairman of the Board, the President or any Vice President; and one (1) signature by the Secretary, any Assistant Secretary, the Chief Financial Officer of any Assistant Treasurer.

COUNTY OF ORANGE,
a political subdivision of the State of California

By _____

Title _____

Print Name _____

Date _____

Approved as to Form
Office of the County
Counsel Orange County,
California

By: _____ Deputy

EXHIBIT A

ORIGINAL CONTRACT (Contract Number MA-060-15010542)

EXHIBIT B

AMENDMENT NUMBER ONE (Contract Number MA-060-18010006)

EXHIBIT C

AMENDMENT NUMBER TWO (Contract Number MA-060-19010051)

EXHIBIT D

AMENDMENT NUMBER THREE (Contract Number MA-060-19011730)

EXHIBIT E

AMENDMENT NUMBER FOUR (Contract Number MA-060-20010498)