

AMENDMENT NUMBER FOUR
TO
CONTRACT MA-060-12011305
BETWEEN THE
COUNTY OF ORANGE
AND
MORPHOTRUST USA, INC., DBA MORPHOTRUST USA LLC

This AMENDMENT NUMBER FOUR to Contract Number MA-060-12011305 (hereinafter "AMENDMENT NUMBER FOUR") between the County of Orange, a political subdivision of the State of California (hereinafter "COUNTY") and MorphoTrust USA, Inc., DBA MorphoTrust USA LLC (hereinafter "CONTRACTOR") with a place of business at 296 Concord Road, Billerica, MA 018201, is made and entered upon execution of all necessary signatures.

RECITALS:

WHEREAS, COUNTY and CONTRACTOR executed a Subordinate Contract on April 17, 2012 for the purchase of Live Scan Equipment, Accessories, Training, Supplies, Software and Maintenance as Contract Number MA-060-12011305 (hereinafter "ORIGINAL CONTRACT"), for a two-year term of April 17, 2012 through and including April 30, 2014; renewable for one (1) additional one-year term; and

WHEREAS, COUNTY and CONTRACTOR renewed the ORIGINAL CONTRACT on April 29, 2014 as Contract Number MA-060-14011100 for a one (1) year term of May 1, 2014 through and including April 30, 2015 in the amount of \$450,000.00 and sustained an Assignment of Contract due to merger and the CONTRACTOR has agreed to provide those services at the rates set forth in the ORIGINAL CONTRACT (hereinafter "AMENDMENT NUMBER ONE"); and

WHEREAS, the State of California issued California Multiple Award Schedule (CMAS) Agreement Number 3-11-70-1090B SUPPLEMENT NO. 2, renewing the ORIGINAL CONTRACT for a new five year term of May 15, 2015 through April 30, 2020, and which is attached as Exhibit C; and

WHEREAS, COUNTY and CONTRACTOR renewed the ORIGINAL CONTRACT, based on the renewed CMAS, for a one (1) year term of May 1, 2015 through and including April 30, 2016 in the amount of \$450,000.00 as Contract Number MA-060-15011176 (hereinafter "AMENDMENT NUMBER TWO");

WHEREAS, COUNTY and CONTRACTOR extended the current term of Contract Number MA-060-15011176 by one (1) year such that the contract will expire April 30,

2017, and increased the not to exceed amount from \$450,000 to \$710,000, which will cover the cost of the one year extension of the term; and

WHEREAS, COUNTY and CONTRACTOR added a Cooperative Agreement Clause (hereinafter "AMENDMENT NUMBER THREE");

WHEREAS, COUNTY and CONTRACTOR desires to extend the current term of Contract Number MA-060-15011176 by one (1) year such that the contract will expire April 30, 2018, and increase the not to exceed amount on the three years term of the contract from \$710,000 to \$1,065,000 which will cover the cost of the one year extension of the term;

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

1. ARTICLES

a. Term of Subordinate Contract, Section 2, is amended to read in its entirety as follows:

2. Term of Subordinate Contract:

This Subordinate Contract shall commence on 4/17/12, and continue through and including 4/30/18, unless otherwise terminated by the County. The period of 4/17/12 through and including 4/30/14 shall be known as MA-060-12011305. The period of 5/1/14 through and including 4/30/15 shall be known as MA-060-14011100. The period of 5/1/15 through and including 4/30/18 shall be known as Contract Number MA-060-15011176. This Subordinate Agreement is non-renewable.

b. Compensation of Payment of Subordinate Contract, Section 4, is amended to read in its entirety as follows:

Contractor agrees to provide Live Scan Equipment, Accessories, Supplies and Maintenance as set forth in Attachment "B" Scope of Work at the fixed rates as specified in the CMAS. The total cost of this Subordinate Contract for the three year term of May 1, 2015 through April 30, 2018 shall not exceed \$1,065,000

3. A true and correct copy of the ORIGINAL CONTRACT (Subordinate Contract, number MA-060-12011305) is attached hereto as Exhibit A and incorporated by this reference.

4. A true and correct copy of AMENDMENT NUMBER ONE (Subordinate Contract, number MA-060-14011100) is attached hereto as Exhibit B and incorporated by this reference.

5. A true and correct copy of AMENDMENT NUMBER TWO (Subordinate Contract, number MA-060-15011176) is attached hereto as Exhibit C and incorporated by this reference.

6. A true and correct copy of AMENDMENT NUMBER THREE (Subordinate Contract, number MA-060-15011176) is attached hereto as Exhibit D and incorporated by this reference.
7. A true and correct copy of CMAS Agreement 3-11-70-1090B is attached hereto as Exhibit E and incorporated by this reference.
8. All other provisions of the ORIGINAL CONTRACT, AMENDMENT NUMBER ONE, AMENDMENT NUMBER TWO and AMENDMENT NUMBER THREE except as amended herein and to the extent they are not inconsistent with this AMENDMENT NUMBER FOUR, remain unchanged and in full force and effect.

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IN WITNESS WHEREOF, the Parties have executed AMENDMENT NUMBER FOUR to ORIGINAL CONTRACT MA-060-12011305.

*Contractor: MorphoTrust USA, Inc., DBA MorphoTrust USA LLC

By: _____ Title: _____

Print Name: _____ Date: _____

*Contractor: MorphoTrust USA, Inc., DBA MorphoTrust USA LLC

By: _____ Title: _____

Print Name: _____ Date: _____

**If the contracting party is a corporation, (2) two signatures are required: (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 or any Assistant Treasurer. The signature of one person alone is sufficient to bind a corporation, as long as he or she holds corporate offices in each of the two categories described above. For County purposes, proof of such dual office holding will be satisfied by having the individual sign the instrument twice, each time indicating his or her office that qualifies under the above described provision.*

In the alternative, a single corporate signature is acceptable when accompanied by a corporate resolution demonstrating the legal authority of the signature to bind the company.

County Of Orange

A political subdivision of the State of California



Sheriff-Coroner Department

By: _____ Title: _____

Print Name: _____ Date: _____

Approved by the Board of Supervisors: _____

Approved as to Form
Office of the County Counsel

by _____
Deputy

EXHIBIT A

ORIGINAL CONTRACT (Subordinate Contract Number MA-060-12011305)

EXHIBIT B

AMENDMENT NUMBER ONE (Subordinate Contract Number MA-060-14011100)

EXHIBIT C

AMENDMENT NUMBER TWO (Subordinate Contract Number MA-060-15011176)

EXHIBIT D

AMENDMENT NUMBER THREE (Subordinate Contract Number MA-060-15011176)

EXHIBIT E

California Multiple Award Schedule (CMAS # 3-11-70-1090B)