

AMENDMENT NUMBER ~~THREE~~ FOUR  
 TO  
 CONTRACT MA-060-12011698  
 BETWEEN THE  
 COUNTY OF ORANGE  
 AND  
 TOUCHPAY HOLDINGS, LLC

This AMENDMENT NUMBER ~~THREE~~ FOUR to CONTRACT number MA-060-12011698 (hereinafter "AMENDMENT NUMBER ~~THREE~~ FOUR") between the County of Orange, a political subdivision of the State of California, operating through its Sheriff's Department (hereinafter "COUNTY") and TouchPay Holdings, LLC (hereinafter "CONTRACTOR") with a place of business at 2609 Cameron Street, Mobile, AL 36607, is made and entered upon execution of all necessary signatures.

RECITAL

WHEREAS, COUNTY and CONTRACTOR executed the ORIGINAL CONTRACT on March 20, 2012 for Jail Kiosk Services, as Contract number MA-060-12011698 (hereinafter "ORIGINAL CONTRACT"), for a two (2) year term of March 20, 2012 through and including March 19, 2014, renewable for three (3) additional one-year terms; and

WHEREAS, COUNTY and CONTRACTOR renewed the ORIGINAL CONTRACT as well as amended Attachment A Scope of Work on March 11, 2014 for the term of March 20, 2014 through and including March 19, 2015 as Contract Number MA-060-14011193 (hereinafter "AMENDMENT NUMBER ONE");

WHEREAS, COUNTY and CONTRACTOR renewed the ORIGINAL CONTRACT on February 3, 2015 as Contract Number MA-060-15010934 (hereinafter "AMENDMENT NUMBER TWO") for a one (1) year term of 3/20/15 through and including 3/19/16 and the CONTRACTOR has agreed to provide services at the rates set forth in the ORIGINAL CONTRACT and AMENDMENT NUMBER ONE;

WHEREAS, COUNTY, ASSIGNOR Continental Prison Systems, Inc. dba EZ Card and Kiosk, and ASSIGNEE TouchPay Holdings, LLC executed an Assignment, Novation and Consent Agreement on August 25, 2015 whereby TouchPay Holdings, LLC assumed all rights, duties and obligations under the ORIGINAL CONTRACT as amended; and

WHEREAS, COUNTY and CONTRACTOR renewed the ORIGINAL CONTRACT on February 23, 2016 as Contract Number MA-060-16011014 (hereinafter "AMENDMENT NUMBER THREE") for a one (1) year term of March 20, 2016 through and including March 19, 2017; ~~desires to renew the ORIGINAL CONTRACT for a one (1) year term, as Contract Number MA-060-16011014 for the term of March 20, 2016 through and including March 19, 2017 and the CONTRACTOR has agreed to provide services at the rates set forth in the ORIGINAL CONTRACT and AMENDMENT NUMBER ONE;~~

WHEREAS, COUNTY desires to extend the ORIGINAL CONTRACT for a one year term of March 20, 2017 through and including March 19, 2018 to allow for the completion of the Jail Management System Request for Proposal and the CONTRACTOR has agreed to provide services at the rates set forth in the ORIGINAL CONTRACT and AMENDMENT NUMBER ONE;

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

1. ARTICLES

- a. Section 1 - 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 3/20/12 through and including 3/19/~~17~~ 18, unless otherwise terminated by COUNTY. The period of 3/20/12 through and including 3/19/14 shall be known as Contract number MA-060-12011698. The period of 3/20/14 through and including 3/19/15 shall be known as Contract number MA-060-14011193. The period of 3/20/15 through and including 3/19/16 shall be known as Contract number MA-060-15010934. The period of 3/20/16 through and including 3/19/~~17~~ 18 shall be known as Contract number MA-060-16011014. This Contract may not be renewed.

2. A true and correct copy of the ORIGINAL CONTRACT (Contract number MA-060-12011698) is attached hereto as Exhibit A and incorporated by this reference.
3. A true and correct copy of AMENDMENT NUMBER ONE (Contract Number MA-060-14011193) is attached hereto as Exhibit B and incorporated by this reference.
4. A true and correct copy of AMENDMENT NUMBER TWO (Contract Number MA-060-15010934) is attached hereto as Exhibit C and incorporated by this reference.
5. A true and correct copy of ASSIGNMENT, NOVATION AND CONSENT AGREEMENT (Contract Number MA-060-15010934) is attached hereto as Exhibit D and incorporated by this reference.
6. A true and correct copy of AMENDMENT NUMBER THREE (Contract Number MA-060-16011014) is attached hereto as Exhibit E and incorporated by this reference.
7. All other provisions of the ORIGINAL CONTRACT and AMENDMENT NUMBERS ONE through THREE and the ASSIGNMENT, NOVATION and CONSENT

AGREEMENT, to the extent they are not inconsistent with this AMENDMENT NUMBER FOUR, remain unchanged and in full force and effect.

**IN WITNESS WHEREOF**, the Parties have executed AMENDMENT NUMBER ~~THREE~~ **FOUR** to ORIGINAL CONTRACT number MA-060-12011698.

\*Contractor: **TouchPay Holdings, LLC**

By: \_\_\_\_\_ Title: \_\_\_\_\_  
Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

\*Contractor: **TouchPay Holdings, 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  
Orange County, California

by \_\_\_\_\_  
Deputy

EXHIBIT A

ORIGINAL CONTRACT (Contract Number MA-060-12011698)

EXHIBIT B

AMENDMENT NUMBER ONE (Contract Number MA-060-14011193)

EXHIBIT C

AMENDMENT NUMBER TWO (Contract Number MA-060-15010934)

EXHIBIT D

ASSIGNMENT, NOVATION AND CONSENT AGREEMENT  
(Contract Number MA-060-15010934)



**EXHIBIT E**

**AMENDMENT NUMBER THREE (Contract Number MA-060-16011014)**