

AMENDMENT NUMBER ~~TWO~~ THREE
 TO
 CONTRACT MA-060-13011766
 BETWEEN THE
 COUNTY OF ORANGE
 AND
 FOLLETT SCHOOL SOLUTIONS INC

This AMENDMENT NUMBER ~~TWO-THREE~~ to Contract Number MA-060-13011766 (hereinafter "AMENDMENT NUMBER ~~TWO~~THREE") between the County of Orange, a political subdivision of the state of California (hereinafter "COUNTY") and Follett School Solutions, Inc., (hereinafter "CONTRACTOR") with a place of business at 1340 Ridgeview Drive, McHenry, IL 60050-7048, is made and entered upon execution of all necessary signatures.

RECITALS

WHEREAS, COUNTY and CONTRACTOR executed a Contract for Follett Software Service and Support on July 1, 2013, as Contract Number MA-060-13011766 (hereinafter "ORIGINAL CONTRACT") for a one (1) year term of July 1, 2013 through and including June 30, 2014, renewable for four (4) additional, one-year terms; and

WHEREAS, CONTRACTOR informed COUNTY that on April 1, 2014 Three (3) individual Follett Businesses – Follett Educational Services, Follett Library Resources and Follett Software Company became one legal entity: Follett School Solutions, Inc.; and

WHEREAS, CONTRACTOR agreed to be bound by all of the terms and conditions of ORIGINAL CONTRACT, as amended, just as if it had been an original signatory to the agreement and COUNTY consents to the assignment of ORIGINAL CONTRACT from Follett Software Company to CONTRACTOR; and

FURTHERMORE, COUNTY and CONTRACTOR renewed the ORIGINAL CONTRACT on June 17, 2014, as Contract Number MA-060-14011954 (hereinafter "AMENDMENT NUMBER ONE"), for a one year term of July 1, 2014 through and including June 30, 2015;

WHEREAS, COUNTY and CONTRACTOR desires to renew the ORIGINAL CONTRACT on June 23, 2015; as Contract Number MA-060-15011753 (hereinafter "AMENDMENT NUMBER TWO"), for a one (1) year term of July 1, 2015 through and including June 30, 2016 ~~and the CONTRACTOR has agreed to provide these goods/services at the rates set forth in the ORIGINAL CONTRACT and the parties have agreed to delete the "waiver of jury trial provision" from the ORIGINAL CONTRACT;~~

WHEREAS, COUNTY desires to renew the ORIGINAL CONTRACT, as Contract Number MA-060-16011879 for a one (1) year term of July 1, 2016 through and including June 30, 2017 and the CONTRACTOR has agreed to provide these goods/services at the rates set forth in the ORIGINAL CONTRACT;

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

1. ARTICLES

a. ~~General Terms and Conditions, Section Y, "Waiver of Jury Trial", of the ORIGINAL CONTRACT is hereby deleted.~~

b.a. Additional terms and conditions, 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 7/1/13 through and including 6/30/~~16~~17, unless otherwise terminated by COUNTY. The period of 7/1/13 through and including 6/30/14 shall be known as Contract number MA-060-13011766. The period of 7/1/14 through and including 6/30/15 shall be known as Contract number MA-060-14011954. The period of 7/1/15 through and including 6/30/16 shall be known Contract number MA-060-15011753. The period of 7/1/16 through and including 6/30/17 shall be known as Contract number MA-060-16011879. The Contract may be renewed for up to ~~two (2)~~ one (1) additional, one-year terms, upon mutual agreement of both Parties. Each renewal of this Contract may require approval by the County Board of Supervisors. The County does not have to give reason if it elects not to renew.

2. A true and correct copy of the ORIGINAL CONTRACT (Contract Number MA-060-13011766) is attached hereto as Exhibit A and incorporated by this reference.

3. A true and correct copy of AMENDMENT NUMBER ONE (Contract Number MA-060-14011954) is attached hereto as Exhibit B and incorporated by this reference.

~~3.4.~~ A true and correct copy of AMENDMENT NUMBER TWO (Contract Number MA-060-15011753) is attached hereto as Exhibit C and incorporated by this reference.

~~4.5.~~ All other provisions of the ORIGINAL CONTRACT and AMENDMENT NUMBER S ONE through TWO except as amended herein and to the extent they are not inconsistent with this AMENDMENT NUMBER ~~TWO~~THREE, remain unchanged and in full force and effect. All obligations of the Parties that would have been terminated on June 30, 201~~6~~5 are hereby extended to June 30, 201~~6~~7.

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IN WITNESS WHEREOF, the Parties have executed AMENDMENT NUMBER ~~TWO~~ **THREE** to Contract number MA-060-13011766.

Contractor: Follett School Solutions, Inc.

By: _____ Title: _____

Print Name: _____ Date: _____

Contractor*: Follett School Solutions, Inc.

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-060-13011766)

EXHIBIT B

AMENDMENT NUMBER ONE (Contract Number MA-060-14011954)

EXHIBIT C

AMENDMENT NUMBER TWO (Contract number MA-060-15011753)