

AMENDMENT NUMBER ~~TWO~~ **THREE**
TO
AGREEMENT MA-060-13010460
BETWEEN THE
COUNTY OF ORANGE
AND
INTOXIMETERS, INC.

This AMENDMENT NUMBER ~~TWO~~ **THREE** to Contract Number MA-060-13010460 (hereinafter "AMENDMENT NUMBER ~~TWO~~ **THREE**") between the County of Orange, a political subdivision of the State of California (hereinafter "COUNTY"), and **Intoximeters, Inc.** (hereinafter "CONTRACTOR") with a place of business at 2081 Craig Rd., Saint Louis, MO 63146-8003, is made and entered upon execution of all necessary signatures.

RECITALS:

WHEREAS, COUNTY and CONTRACTOR executed a Contract for the purchase of Parts and Accessories for Alcosensor Instruments, Contract Number MA-060-13010460 (hereinafter "ORIGINAL AGREEMENT"), for one (1) year term, effective October 22, 2012 through and including October 21, 2013;

WHEREAS, COUNTY and CONTRACTOR amended the ORIGINAL AGREEMENT to add Items ALCO Sensor FST #40-0010-06, \$490.00 and ALCO Sensor IV # 13-0360-10, \$645.00 and to increase annual not to exceed amount to \$70,000.00 to Attachment B "Scope of Work/Pricing", **ASIV XL-Supplies** (hereinafter "AMENDMENT NUMBER ONE");

~~WHEREAS, COUNTY desires to continue to receive services from CONTRACTOR for an additional one (1) year term and the CONTRACTOR has agreed to provide these services at the rates set forth in the ORIGINAL AGREEMENT and AMENDMENT NUMBER ONE;~~

WHEREAS, on September 30, 2013 COUNTY and CONTRACTOR renewed the ORIGINAL CONTRACT as Contract Number MA-060-14010486 for a one (1) year term from October 22, 2013 through and including October 21, 2014 (hereinafter "AMENDMENT NUMBER TWO");

WHEREAS, COUNTY desires to renew the ORIGINAL CONTRACT as Contract Number MA-060-14012135 for a one (1) year term as well as to increase the total contract value of \$70,000.00 by \$7,000.00 for a new not to exceed amount of \$77,000.00 and the CONTRACTOR has agreed to provide these 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. Original Contract, Additional Terms and Conditions, Section Term 2, 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 10/22/12 through and including 10/21/14, unless otherwise terminated by COUNTY. The period of 10/22/12 through and including 10/21/13 shall be known as Contract Number MA-060-13010460. The period of 10/22/13 through and including 10/21/14 shall be known as Contract Number MA-060-14010486. Contract may be renewed up to three (3) additional one (1) year terms upon mutual agreement of both parties. The County does not have to give reason if it elects not to renew.~~

This Contract shall commence upon execution of all necessary signatures, and continue in effect from 10/22/12 through and including 10/21/15, unless otherwise terminated by COUNTY. The period of 10/22/12 through and including 10/21/13 shall be known as Contract Number MA-060-13010460. The period of 10/22/13 through and including 10/21/14 shall be known as Contract Number MA-060-14010486. The period of 10/22/14 through and including 10/21/15 shall be known as Contract Number MA-060-14012135. Contract may be renewed up to two (2) additional one (1) year terms upon mutual agreement of both parties. The County does not have to give reason if it elects not to renew.

- b. ATTACHMENT A, Scope of Work/Pricing, maximum obligation is amended to read as follows:

Contract shall not exceed \$77,000.00 per Contract term. Shipping/Freight/Delivery charges are authorized under this Contract.

2. A true and correct copy of the ORIGINAL AGREEMENT (Contract Number MA-060-13010460) is attached hereto as Exhibit A and incorporated by this reference.
3. A true and correct copy of AMENDMENT NUMBER ONE (Contract Number MA-060-13010460) is attached hereto as Exhibit B and incorporated by this reference.
4. ~~All other provisions of the ORIGINAL AGREEMENT and AMENDMENT NUMBER ONE, except as amended herein and to the extent they are not inconsistent with this AMENDMENT NUMBER TWO, remain unchanged and in full force and effect.~~
5. A true and correct copy of AMENDMENT NUMBER TWO (Contract Number MA-060-14010486) is attached hereto as Exhibit C and incorporated by this reference.
6. All other provisions of the ORIGINAL CONTRACT, AMENDMENT NUMBER ONE and AMENDMENT NUMBER TWO, except as amended herein and to the extent they are not inconsistent with this AMENDMENT NUMBER THREE, remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the Parties have executed the AMENDMENT NUMBER ~~TWO~~
THREE to Contract Number MA-060-13010460.

Contractor*: Intoximeters Inc.

By: _____ Title: _____
Print Name: _____ Date: _____

Contractor*: Intoximeters Inc.

By: _____ Title: _____
Print Name: _____ Date: _____

*If a corporation, the document must be signed by two corporate officers. The first signature must be either the Chairman of the Board, President, or any Vice President. The second signature must be the secretary, an assistant secretary, the Chief Financial Officer, or any assistant treasurers. **In the alternative, a single corporate signature is acceptable when accompanied by a corporate document 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: _____
Date: _____

EXHIBIT A

ORIGINAL CONTRAC (Contract Number MA-060-13010460)

EXHIBIT B

AMENDMENT NUMBER ONE (Contract Number MA-060-13010460)

EXHIBIT C

AMENDMENT NUMBER TWO (Contract Number MA-060-14010486)