

AMENDMENT ~~TWO~~-THREE TO CONTRACT MA-031-14011203 FOR  
SAMPLE BALLOT PAMPHLET PRINTING SERVICES

This Amendment Number ~~Two~~-Three, hereinafter "Amendment", to Contract MA-031-14011203 ("Contract") to provide ~~Sample sample Ballot ballot Pamphlet pamphlet~~ printing services is made and entered into on the date when fully executed by the parties, and is by and between the County of Orange, a political subdivision of the State of California, hereinafter referred to as "County" and Merrill Communications, LLC, with a place of business at 16200 Trojan Way La Mirada, CA 90638, hereinafter referred to as "Contractor."

RECITALS

WHEREAS, Contractor responded to a Request for Proposal (RFP 031-619074) for ~~Sample sample Ballot ballot Pamphlet pamphlet~~ printing services in multiple languages and represented that its good and services shall meet or exceed the requirements and specifications of the RFP; and

~~WHEREAS, the Contractor responded and represented that its proposed goods and services shall meet or exceed the requirements and specifications of the RFP; and~~

WHEREAS, the County Board of Supervisors ~~has authorized~~ approved the Contract with the Contractor and authorized the County Purchasing Agent or his authorized Deputy to enter into an ~~Agreement~~ agreement for ~~Sample sample Ballot ballot Pamphlet pamphlet Printing printing~~ Services services with the Contractor; and

WHEREAS, County and Contractor ~~desires to amend~~ the eContract MA-031-14011203 on May 12, 2014 to include additional line items by description to the Cost By Commodity (~~Amendment Number One~~); and

WHEREAS, County and Contractor ~~desires to amend~~ the eContract MA-031-14011203 on July 2, 2014 to include additional line items by description to the Price List, Cost By Commodity; (items 12 & 13, Sets Per Language, for Size A & Size B)(~~Amendment Number Two~~);

WHEREAS County desires to renew the Original Contract, as Contract Number MA-031-16010389 for a two-year term of January 1, 2016 through and including December 31, 2017 and the Contractor has agreed to provide those good/services at the rates set forth in Amendment Number Two;

NOW, THEREFORE, the parties mutually agree as follows:

Section 4 of the Contract is amended to read as follows:

~~Amendment Two to Contract MA 031 14011203 to include additional line items by description to the Price List, Cost By Commodity~~

Compensation shall be paid to the Contractor for ~~sample ballot pamphlet~~ printing services in multiple languages as specified in the Contract, as amended through Amendment Number One and Amendment Number Two Contractor shall provide the County with ~~Sample Ballot Pamphlet~~ printing services in multiple languages as specified and is in an amount not to exceed \$7,000,000.00 for each a two-year term.

Section 2 of the Contract is amended to read as follows:

The term of this ~~Amendment Number Three Agreement~~ shall be effective from January 1, 201~~6~~4 to December 31, 201~~5~~7, with option to renew for ~~an additional two (2) year term~~ followed by an additional one (1) year term with concurrence of both parties and subject to approval of the Board of Supervisors.

For identification purposes, Amendment Number Three to Contract Number MA-031-14011203 shall be referenced as Contract Number MA-031-16010389.

Except as amended herein, all terms and conditions, including those terms of the Original Contract and any amendments / modifications are incorporated by this reference as if fully set forth herein and shall remain in full force.

Signature Page Follows

**SIGNATURE PAGE**

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

**CONTRACTOR\***

By: \_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Print Name Title

**CONTRACTOR\***

By: \_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Print Name Title

**\* If the Contractor is a corporation, signatures of two specific corporate officers are required as further set forth. The first corporate officer signature must be one of the following: 1) the Chairman of the Board; 2) the President; 3) any Vice President. The second corporate officer signature must be one of the following: a) Secretary; b) Assistant Secretary; c) Chief Financial Officer; d) Assistant Treasurer.**

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

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**County of Orange, a political subdivision of the State of California**

\_\_\_\_\_  
Print Name Title

\_\_\_\_\_  
Signature Date

\*\*\*\*\*

**APPROVED AS TO FORM**

County Counsel

\_\_\_\_\_  
Print Name Title

By: \_\_\_\_\_  
Signature Date

\*\*\*\*\*

**APPROVED AS TO CONTENT**

\_\_\_\_\_  
Print Name Title

By: \_\_\_\_\_  
Signature Date

**Signature Page**

**Contract MA-031-14011203 (Replaced MA-031-14010574)**

**AMENDMENT TWO**

**Sample Ballot Pamphlet Printing Services**

In WITNESS WHEREOF, the parties hereto have executed this contract on the dates shown opposite their respective signatures below:

**VENDOR:** Merrill Communications, LLC

\_\_\_\_\_  
Signature Date: \_\_\_\_\_

\_\_\_\_\_  
Print Name and Title

\_\_\_\_\_  
Signature Date: \_\_\_\_\_

\_\_\_\_\_  
Print Name and Title

**COUNTY:** Registrar of Voters

\_\_\_\_\_  
Signature Date: \_\_\_\_\_

\_\_\_\_\_  
Print Name and Title

\_\_\_\_\_  
Signature Date: \_\_\_\_\_

\_\_\_\_\_  
Print Name and Title

\_\_\_\_\_  
Signature Date: \_\_\_\_\_

\_\_\_\_\_  
Print Name and Title

## Signature Requirements

- 1. ~~Corporations~~ Corporations Code § 313
- ~~Nonprofit Public Benefit Corp.~~ Corporations Code §§ 5214, 5141
- ~~Nonprofit Mutual Benefit Corp.~~ Corporations Code § 7214, 7141
- ~~Nonprofit Religious Corp.~~ Corporations Code §§ 9214, 9141

~~You must have one signature from each category listed in a & b:~~

- ~~a. Chairman of the Board, President, or any Vice President;~~
- ~~b. Secretary, any Assistant Secretary, Chief Financial Officer or any Assistant Treasurer;~~
- ~~c. Total of 2 signatures required.~~
- ~~d. Unless Board authorized or ratified to bind the Corp for the Contract regardless of whether executed or wholly or in part executory.~~
- ~~e. May delegate signature authority by Corporate resolution.~~

- 2. ~~Limited Liability Companies~~ Corporations Code § 17157

- ~~a. Two managers, unless articles of organization state that it is managed by only one manager;~~
- ~~b. Total of 2 signatures required.~~

- 3. ~~Partnerships~~ Corporations Code § 16301

- ~~a. Generally requires a Partner signature for contracts in the ordinary course of business.~~
- ~~b. Exception: Partner for ordinary course of business, unless the partner had no authority to act for the partnership in the particular matter and the person with whom the partner was dealing knew or had received a notification that the partner lacked authority.~~
- ~~c. Only 1 signature required.~~

- 4. ~~Limited Liability Partnership~~ Corporations Code §§ 16111 & 16301

- ~~a. See above. Same as Partnership.~~

**EXHIBIT A**  
ORIGINAL CONTRACT (Contract Number MA-031-14011203)

**EXHIBIT B**  
AMENDMENT NUMBER ONE (Contract Number MA-031-14011203)

**EXHIBIT C**  
AMENDMENT NUMBER TWO (Contract Number MA-031-14011203)



**PRICE LIST**

**SAMPLE BALLOT PAMPHLET PRINTING SERVICES**

**COST BY COMMODITY**

Sample Ballot Pamphlet Dimensions **Size A:** 8 3/4 inch by 10 5/8 inch  
 (ADD LINES FOR ADDITIONAL DESCRIPTIONS)

|    | <b>DESCRIPTION</b>   | <b>UNIT</b> | <b>COST</b> |  |
|----|--|-------------|-------------|--|
| 01 | FORM, BALLOT, SAMPLE BOOKLETS, ADDITIONAL ORDER SET UP CHARGE  | EACH        | \$214.00    |  |
| 02 | PRINTING, BALLOT, SAMPLE BOOKLETS, COVER & BACK COVER SET UP (SPECIAL ELECTIONS)   | EACH        | \$698.00    |  |
| 03 | PRINTING, BALLOT, SAMPLE BOOKLETS, BALLOT TYPE CHANGE (UP TO 100)  | EACH        | \$96.00     |  |
| 04 | PRINTING, BALLOT, SAMPLE BOOKLETS, BALLOT TYPE CHANGE (101 TO 200)   | EACH        | \$144.00    |  |
| 05 | PRINTING, BALLOT, SAMPLE BOOKLETS, BALLOT TYPE CHANGE (OVER 200)   | EACH        | \$192.00    |  |
| 06 | TYPESETTING WITH MODEM CAPABILITY, FULLY ASSEMBLED BOOKLET BY BALLOT TYPE WITH IMPOSED FOLIO AND BALLOT TYPE (BT) NUMBER | EACH        | \$5.25      |  |
| 07 | SET UP PER BALLOT TYPE, COVER IMPRINT  | EACH        | \$30.00     |  |
| 08 | COVER RUN CHARGE (FOUR COLOR)  | 1000        | \$84.00     |  |
| 09 | COVER RUN CHARGE (THREE COLOR)   | 1000        | \$81.00     |  |
| 10 | COVER RUN CHARGE (TWO COLOR)   | 1000        | \$78.00     |  |
| 11 | PROGRAMMING / PROCESSING   | HOUR        | \$125.00    |  |
| 12 | GATHER PAMPHLETS INTO SETS PER LANGUAGE AND SHRINK WRAP FOR DISTRIBUTION   | HOUR        | \$125.00    |  |
| 13 | GATHER PAMPHLETS INTO SETS PER LANGUAGE WITHOUT SHRINK WRAP FOR DISTRIBUION  | HOUR        | \$125.00    |  |

{County will not pay overrun charges without its prior authorization.}

**COST BY COMMODITY** (CONTINUED)

Sample Ballot Pamphlet Dimensions **Size A:** 8 ¾ inch by 10 5/8 inch  
(ADD LINES FOR ADDITIONAL DESCRIPTIONS)

|    | <b>DESCRIPTION</b>   | <b>EACH</b> | <b>25</b> | <b>50</b> | <b>100</b> | <b>1000</b> |
|----|--|-------------|-----------|-----------|------------|-------------|
|    |  |             | \$        | \$        | \$         | \$          |
| 12 | PRINTING, BALLOT, 4 PART (8 PAGE) RUNNING CHARGE: PRINTING, PAPER BINDING    | \$1.09      | 12.48     | 22.85     | 45.25      | 169.54      |
| 13 | PRINTING, BALLOT, 6 PART (12 PAGE) RUNNING CHARGE: PRINTING, PAPER BINDING   | \$1.50      | 15.72     | 28.67     | 56.67      | 204.82      |
| 14 | PRINTING, BALLOT, 8 PART (16 PAGE) RUNNING CHARGE: PRINTING, PAPER BINDING   | \$1.90      | 18.96     | 34.50     | 68.10      | 233.24      |
| 15 | PRINTING, BALLOT, 10 PART (20 PAGE) RUNNING CHARGE: PRINTING, PAPER BINDING  | \$2.31      | 22.20     | 40.32     | 79.52      | 308.70      |
| 16 | PRINTING, BALLOT, 12 PART (24 PAGE) RUNNING CHARGE: PRINTING, PAPER BINDING  | \$2.72      | 25.44     | 46.14     | 90.94      | 340.06      |
| 17 | PRINTING, BALLOT, 14 PART (28 PAGE) RUNNING CHARGE: PRINTING, PAPER, BINDING | \$3.13      | 28.68     | 51.97     | 102.37     | 343.00      |
| 18 | PRINTING, BALLOT, 16 PART (32 PAGE) RUNNING CHARGE: PRINTING, PAPER, BINDING | \$3.54      | 31.92     | 57.79     | 113.79     | 345.94      |
| 19 | PRINTING, BALLOT, 18 PART (36 PAGE) RUNNING CHARGE: PRINTING, PAPER, BINDING | \$3.94      | 35.16     | 63.62     | 125.22     | 383.18      |
| 20 | PRINTING, BALLOT, 20 PART (40 PAGE) RUNNING CHARGE: PRINTING, PAPER, BINDING | \$4.35      | 38.40     | 69.44     | 136.64     | 414.54      |
| 21 | PRINTING, BALLOT, 22 PART (44 PAGE) RUNNING CHARGE: PRINTING, PAPER, BINDING | \$4.76      | 41.64     | 75.26     | 148.06     | 450.80      |
| 22 | PRINTING, BALLOT, 24 PART (48 PAGE) RUNNING CHARGE: PRINTING, PAPER, BINDING | \$5.17      | 44.88     | 81.09     | 159.49     | 487.06      |
| 23 | PRINTING, BALLOT, 26 PART (52 PAGE) RUNNING CHARGE: PRINTING, PAPER BINDING  | \$5.58      | 48.12     | 86.91     | 170.91     | 517.44      |
| 24 | PRINTING, BALLOT, 28 PART (56 PAGE) RUNNING CHARGE: PRINTING, PAPER BINDING  | \$5.98      | 51.36     | 92.74     | 182.34     | 550.76      |
| 25 | PRINTING, BALLOT, 30 PART (60 PAGE) RUNNING CHARGE: PRINTING, PAPER BINDING  | \$6.39      | 54.60     | 98.56     | 193.76     | 584.08      |
| 26 | PRINTING, BALLOT, 32 PART (64 PAGE) RUNNING CHARGE: PRINTING, PAPER BINDING  | \$6.80      | 57.84     | 104.38    | 205.18     | 616.42      |
| 27 | PRINTING, BALLOT, 34 PART (68 PAGE) RUNNING CHARGE: PRINTING, PAPER BINDING  | \$7.21      | 61.08     | 110.21    | 216.61     | 733.04      |
| 28 | PRINTING, BALLOT, 36 PART (72 PAGE) RUNNING CHARGE: PRINTING, PAPER BINDING  | \$7.64      | 65.97     | 116.82    | 229.61     | 777.02      |
|    |  |             |           |           |            |             |

{County will not pay overrun charges without its prior authorization.}

**PRICE LIST**

**SAMPLE BALLOT PAMPHLET PRINTING SERVICES**

**COST BY COMMODITY**

Sample Ballot Pamphlet Dimensions **Size B:** 5 3/8 inch by 8 3/8 inch  
 (ADD LINES FOR ADDITIONAL DESCRIPTIONS)

|    | <b>DESCRIPTION</b>   | <b>UNIT</b> | <b>COST</b> |
|----|--|-------------|-------------|
| 01 | FORM, BALLOT, SAMPLE BOOKLETS, ADDITIONAL ORDER SET UP CHARGE  | EACH        | \$214.00    |
| 02 | PRINTING, BALLOT, SAMPLE BOOKLETS, COVER & BACK COVER SET UP (SPECIAL ELECTIONS)   | EACH        | \$698.00    |
| 03 | PRINTING, BALLOT, SAMPLE BOOKLETS, BALLOT TYPE CHANGE (UP TO 100)  | EACH        | \$96.00     |
| 04 | PRINTING, BALLOT, SAMPLE BOOKLETS, BALLOT TYPE CHANGE (101 TO 200)   | EACH        | \$144.00    |
| 05 | PRINTING, BALLOT, SAMPLE BOOKLETS, BALLOT TYPE CHANGE (OVER 200)   | EACH        | \$192.00    |
| 06 | TYPESETTING WITH MODEM CAPABILITY, FULLY ASSEMBLED BOOKLET BY BALLOT TYPE WITH IMPOSED FOLIO AND BALLOT TYPE (BT) NUMBER | EACH        | \$2.75      |
| 07 | SET UP PER BALLOT TYPE, COVER IMPRINT  | EACH        | \$15.00     |
| 08 | COVER RUN CHARGE (FOUR COLOR)  | 1000        | \$42.00     |
| 09 | COVER RUN CHARGE (THREE COLOR)   | 1000        | \$40.50     |
| 10 | COVER RUN CHARGE (TWO COLOR)   | 1000        | \$39.00     |
| 11 | PROGRAMMING / PROCESSING   | HOUR        | \$125.00    |
| 12 | GATHER PAMPHLETS INTO SETS PER LANGUAGE AND SHRINK WRAP FOR DISTRIBUTION   | HOUR        | \$125.00    |
| 13 | GATHER PAMPHLETS INTO SETS PER LANGUAGE WITHOUT SHRINK WRAP FOR DISTRIBUTION   | HOUR        | \$125.00    |

{County will not pay overrun charges without its prior authorization.}

**COST BY COMMODITY** (CONTINUED)

Sample Ballot Pamphlet Dimensions **Size B**: 5 3/8 inch by 8 3/8 inch  
(ADD LINES FOR ADDITIONAL DESCRIPTIONS)

|    | DESCRIPTION  | EACH   | 25    | 50    | 100    | 1000   |
|----|--|--------|-------|-------|--------|--------|
|    |  |        | \$    | \$    | \$     | \$     |
| 12 | PRINTING, BALLOT, 4 PART (8 PAGE) RUNNING CHARGE: PRINTING, PAPER BINDING    | \$ .84 | 9.05  | 17.60 | 34.71  | 120.25 |
| 13 | PRINTING, BALLOT, 6 PART (12 PAGE) RUNNING CHARGE: PRINTING, PAPER BINDING   | \$1.15 | 10.85 | 20.96 | 41.18  | n/a    |
| 14 | PRINTING, BALLOT, 8 PART (16 PAGE) RUNNING CHARGE: PRINTING, PAPER BINDING   | \$1.46 | 12.66 | 24.32 | 47.65  | 150.95 |
| 15 | PRINTING, BALLOT, 10 PART (20 PAGE) RUNNING CHARGE: PRINTING, PAPER BINDING  | \$1.77 | 14.46 | 27.68 | 54.11  | n/a    |
| 16 | PRINTING, BALLOT, 12 PART (24 PAGE) RUNNING CHARGE: PRINTING, PAPER BINDING  | \$2.08 | 16.27 | 31.04 | 60.58  | 180.70 |
| 17 | PRINTING, BALLOT, 14 PART (28 PAGE) RUNNING CHARGE: PRINTING, PAPER, BINDING | \$2.39 | 18.07 | 34.40 | 67.05  | n/a    |
| 18 | PRINTING, BALLOT, 16 PART (32 PAGE) RUNNING CHARGE: PRINTING, PAPER, BINDING | \$2.71 | 19.87 | 37.76 | 73.52  | 207.80 |
| 19 | PRINTING, BALLOT, 18 PART (36 PAGE) RUNNING CHARGE: PRINTING, PAPER, BINDING | \$3.02 | 21.68 | 41.11 | 79.99  | n/a    |
| 20 | PRINTING, BALLOT, 20 PART (40 PAGE) RUNNING CHARGE: PRINTING, PAPER, BINDING | \$3.33 | 23.48 | 44.47 | 86.46  | 265.00 |
| 21 | PRINTING, BALLOT, 22 PART (44 PAGE) RUNNING CHARGE: PRINTING, PAPER, BINDING | \$3.64 | 25.28 | 47.83 | 92.93  | n/a    |
| 22 | PRINTING, BALLOT, 24 PART (48 PAGE) RUNNING CHARGE: PRINTING, PAPER, BINDING | \$3.95 | 27.09 | 51.19 | 99.40  | 289.70 |
| 23 | PRINTING, BALLOT, 26 PART (52 PAGE) RUNNING CHARGE: PRINTING, PAPER BINDING  | \$4.26 | 28.89 | 54.55 | 105.86 | n/a    |
| 24 | PRINTING, BALLOT, 28 PART (56 PAGE) RUNNING CHARGE: PRINTING, PAPER BINDING  | \$4.57 | 30.70 | 57.91 | 112.33 | 318.90 |
| 25 | PRINTING, BALLOT, 30 PART (60 PAGE) RUNNING CHARGE: PRINTING, PAPER BINDING  | \$4.88 | 32.50 | 61.27 | 118.80 | n/a    |
| 26 | PRINTING, BALLOT, 32 PART (64 PAGE) RUNNING CHARGE: PRINTING, PAPER BINDING  | \$5.19 | 34.30 | 64.63 | 125.27 | 348.75 |
| 27 | PRINTING, BALLOT, 34 PART (68 PAGE) RUNNING CHARGE: PRINTING, PAPER BINDING  | \$5.50 | 36.11 | 67.98 | 131.74 | n/a    |
|    |  |        |       |       |        |        |

{County will not pay overrun charges without its prior authorization.}