

AMENDMENT NUMBER ~~FOUR~~ FIVE
TO
CONTRACT MA-060-13010460
BETWEEN THE
COUNTY OF ORANGE
AND
INTOXIMETERS, INC.

This AMENDMENT NUMBER ~~FOUR~~ FIVE to Contract Number MA-060-13010460 (hereinafter “AMENDMENT NUMBER ~~FOUR~~ FIVE”) 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, on October 15, 2012 COUNTY and CONTRACTOR executed a Contract for the purchase of Parts and Accessories for Alcosensor Instruments, Contract Number MA-060-13010460 (hereinafter “ORIGINAL CONTRACT”), for a one (1) year term from October 22, 2012 through and including October 21, 2013, renewable for four (4) additional one-year terms; and

WHEREAS, on February 26, 2013 COUNTY and CONTRACTOR amended the ORIGINAL CONTRACT 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, 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 and CONTRACTOR renewed the ORIGINAL CONTRACT on September 16, 2014 as Contract Number MA-060-14012135 for a one (1) year term and increased the total contract value of \$70,000.00 by \$7,000.00 for a new not to exceed amount of \$77,000.00 (hereinafter “AMENDMENT NUMBER THREE”);

WHEREAS, COUNTY desires to increase the dollar amount of Contract Number MA-060-14012135 of \$77,000.00 by \$10,000.00 for a new not to exceed amount of \$87,000.00 for the term of October 22, 2014 through October 21, 2015; and

~~WHEREAS, COUNTY desires to renew the ORIGINAL CONTRACT as Contract Number MA-060-15012079 for a one (1) year term and to add Item # 22-0080-01, 108 Liter Dry Gas Tank (.082) C at \$149.00/each and the CONTRACTOR has agreed to provide these services at the rates set forth in the ORIGINAL CONTRACT and AMENDMENT NUMBER ONE and this AMENDMENT NUMBER FOUR;~~

WHEREAS, COUNTY and CONTRACTOR renewed the ORIGINAL CONTRACT as Contract Number MA-060-15012079 in the amount of \$77,000 for a one (1) year term of October 22, 2015 through October 21, 2016 and to added Item # 22-0080-01, 108

Liter Dry Gas Tank (.082) C at \$149.00/each (hereinafter "AMENDMENT NUMBER FOUR");

WHEREAS, COUNTY desires to increase the dollar amount of Contract Number MA-060-15012079 of \$77,000 by \$15,000 for a new not to exceed amount of \$92,000 as well as adding Southeast Operations and the City of San Clemente as ordering locations and the CONTRACTOR has agreed to provide these services at the rates set forth in the ORIGINAL CONTRACT, AMENDMENT NUMBER ONE and AMENDMENT NUMBER FOUR;

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 10/21/16, 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. The period of 10/22/15 through and including 10/21/16 shall be known as Contract Number MA-060-15012079. Contract may be renewed up to one (1) 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 of the ORIGINAL CONTRACT is amended to add the following:~~

PART NUMBER	DESCRIPTION	MINIMUM QTY	UNIT PRICE
22-0080-01	108L (.082) C Dry Gas Tank	1	\$149.00

1. ARTICLES

c. ~~ATTACHMENT A, Scope of Work/Pricing, is amended as follows:~~

~~Contract shall not exceed \$87,000.00 for the term of October 22, 2014 through and including October 21, 2015.~~

~~Additionally, in consideration of the mutual obligations set forth herein, both COUNTY and CONTRACTOR agree Contract Number MA-060-15012079, which is for the term of October 22, 2015 through and including October 21, 2016, shall be increased and amended as follows:~~

~~1. ARTICLES~~

~~a. ATTACHMENT B, Pricing, is amended as follows:~~

~~Contract shall not exceed \$87,000.00 for the term of October 22, 2015 through and including October 21, 2016.~~

2. ARTICLES

b. ATTACHMENT A, entitled *Scope of Work/Pricing*, is amended as follows:

Contract shall not exceed \$92,000.00 per contract term. Shipping/Freight/Delivery charges are authorized under this Contract.

c. ATTACHMENT B, *Compensation and Pricing Provisions*, the language under Pricing, is amended as follows:

Contract shall not exceed \$92,000.00 for the term of October 22, 2015 through and including October 21, 2016.

3. A true and correct copy of the ORIGINAL CONTRACT (Contract Number MA-060-13010460) is attached hereto as Exhibit A and incorporated by this reference.
4. 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.
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. A true and correct copy of AMENDMENT NUMBER THREE (Contract Number MA-060-14012135) is attached hereto as Exhibit D and incorporated by this reference.~~
- ~~7. 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.~~
8. A true and correct copy of AMENDMENT NUMBER FOUR (Contract Number MA-060-15012079) is attached hereto as Exhibit E and incorporated by this reference.

9. All other provisions of the ORIGINAL CONTRACT, AMENDMENT NUMBER ONE, AMENDMENT NUMBER TWO, AMENDMENT NUMBER THREE, and AMENDMENT NUMBER FOUR except as amended herein and to the extent they are not inconsistent with this AMENDMENT NUMBER FIVE, remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the Parties have executed the AMENDMENT NUMBER ~~FOUR~~ FIVE 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 CONTRACT (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)

EXHIBIT D

AMENDMENT NUMBER THREE (Contract Number MA-060-14012135)

EXHIBIT E

AMENDMENT NUMBER FOUR (Contract Number MA-060-15012079)