

**FIRST AMENDMENT TO  
TULARE COUNTY AGREEMENT NO. 27503**

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**THIS FIRST AMENDMENT** ("Amendment") to Tulare County Agreement Number 27503 (the "Agreement") is entered into by and between the **COUNTY OF TULARE** ("COUNTY") and **BELL AND HOWELL, LLC** ("CONTRACTOR") as of November 1, 2018, with reference to the following:

A. The COUNTY and CONTRACTOR entered into the Agreement on November 1, 2015, for the purpose of providing maintenance services for BH 2000 VIP Mail Inserter and a Criterion II X Bin Sorter with RDR & IJ equipment;

B. COUNTY and CONTRACTOR now wish to amend the Agreement in order to remove maintenance service for the Criterion II X Bin Sorter with RDR & IJ. Bell and Howell has restructured their organization splitting into two entities: Bell and Howell, LLC and Fluence Automation, LLC. Bell and Howell will continue to provide maintenance service and receive payment for services conducted on the BH 2000 VIP Mail Inserter. A separate agreement with the terms and conditions of the original agreement will be entered with Fluence Automation concurrently with this amendment. Fluence Automation will be providing maintenance service and receive payment for services conducted on the Criterion II X Bin Sorter with RDR & IJ.

**ACCORDINGLY, COUNTY and CONTRACTOR** agree as follows:

1. Exhibit A, Section 2.1.A – Maintenance Services Coverage List of the Agreement is hereby revised; please see attached amended Section 2.1.A.

2. Exhibit A, No. 3. Service Fees revised to the following language:

Customer shall pay to BH a Service Fee of \$21,529.51 for year 1, \$39,495.36 for year 2, \$39,890.31 for year 3, \$13,258.17 for year 4, and \$13,655.91 for year 5, as set forth in Section 2.1 (attached). Service Fee is exclusive of applicable taxes, which will be invoiced with Service Fee. Where permitted by applicable law, payments made by credit card will be subject to an additional two percent (2%) surcharge by BH, the amount of which does not exceed BH's applicable costs for accepting such credit card payments.

**Payment Options:** (Each installment is due in advance of the period in which the services will be provided)

- Annual Installments = see above

3. This First Amendment becomes effective as of November 1, 2018.

4. Except as provided above, all other terms and conditions of the Agreement shall remain in full force and effect.

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**THE PARTIES**, having read and considered the above provisions, indicate their agreement by their authorized signatures below.

**BELL AND HOWELL, LLC**

Date \_\_\_\_\_

By \_\_\_\_\_

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

Title \_\_\_\_\_

Date \_\_\_\_\_

By \_\_\_\_\_

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

Title \_\_\_\_\_

[Pursuant to Corporations Code section 313, County policy requires that contracts with a Corporation be signed by both (1) the chairman of the Board of Directors, the president or any vice-president (or another officer having general, operational responsibilities), and (2) the secretary, any assistant secretary, the chief financial officer, or any assistant treasurer (or another officer having recordkeeping or financial responsibilities), unless the contract is accompanied by a certified copy of a resolution of the corporation's Board of Directors authorizing the execution of the contract. Similarly, pursuant to California Corporations Code section 17703.01, County policy requires that contracts with a Limited Liability Company be signed by at least two managers, unless the contract is accompanied by a certified copy of the articles of organization stating that the LLC is managed by only one manager.]

**COUNTY OF TULARE**

Date \_\_\_\_\_

By \_\_\_\_\_

Chairman, Board of Supervisors

ATTEST: MICHAEL C SPATA  
County Administrative Officer/Clerk of the Board  
of Supervisors of the County of Tulare

By \_\_\_\_\_  
Deputy Clerk

Approved as to Form:  
County Counsel

By \_\_\_\_\_  
Deputy

Matter # \_\_\_\_\_

# EXHIBIT A

## Section 2.1.A - Equipment Maintenance Services Coverage List

(Year 1: 11/01/2015 – 10/31/2016)

EQUIPMENT & MODEL	SERVICE I.D. NO.	SERIAL NO.	SERVICE TYPE	PM INSPS.	RM CALLS	PARTS	AGE	CONTRACTED PERIOD OF MAINTENANCE (CPM)	RESPONSE TIME	TOTAL SERVICE FEE
BH 2000 VIP INSERTER	94797A	55-30001008	Priority Service Plus	Semi-Annual	ALL	YES	10.29	8:30A – 5:00P M-F	4 HOURS	\$12,742.10
Criterion II X Bin Sorter with RDR & IJ	95131A	0671253	Priority Service Plus	Quarterly	ALL	YES	8.11	8:30A – 5:00P M-F	4 HOURS	\$8,787.41
<b>TOTAL EQUIPMENT SERVICE FEES</b>										<b>\$21,529.51</b>
(Exclusive of Taxes)										

**TOTAL AGREEMENT EQUIPMENT AND SOFTWARE SERVICE FEES: \$21,529.51 (Year 1)**

(Year 2: 11/01/2016 – 10/31/2017)

EQUIPMENT & MODEL	SERVICE I.D. NO.	SERIAL NO.	SERVICE TYPE	PM INSPS.	RM CALLS	PARTS	AGE	CONTRACTED PERIOD OF MAINTENANCE (CPM)	RESPONSE TIME	TOTAL SERVICE FEE
BH 2000 VIP INSERTER	94797A	55-30001008	Priority Service Plus	Semi-Annual	ALL	YES	11.29	8:30A – 5:00P M-F	4 HOURS	\$12,869.52
Criterion II X Bin Sorter with RDR & IJ	95131A	0671253	Priority Service Plus	Quarterly	ALL	YES	9.11	8:30A – 5:00P M-F	4 HOURS	\$26,625.84
<b>TOTAL EQUIPMENT SERVICE FEES</b>										<b>\$39,495.36</b>
(Exclusive of Taxes)										

**TOTAL AGREEMENT EQUIPMENT AND SOFTWARE SERVICE FEES: \$39,495.36 (YEAR 2)**

## EXHIBIT A

### Section 2.1.A - Equipment Maintenance Services Coverage List

(Year 3: 11/01/2017 – 10/31/2018)

EQUIPMENT & MODEL	SERVICE I.D. NO.	SERIAL NO.	SERVICE TYPE	PM INSPS.	RM CALLS	PARTS	AGE	CONTRACTED PERIOD OF MAINTENANCE (CPM)	RESPONSE TIME	TOTAL SERVICE FEE
BH 2000 VIP INSERTER	94797A	55-30001008	Priority Service Plus	Semi-Annual	ALL	YES	12.29	8:30A – 5:00P M-F	4 HOURS	\$12,998.21
Criterion II X Bin Sorter with RDR & IJ	95131A	0671253	Priority Service Plus	Quarterly	ALL	YES	8.11	8:30A – 5:00P M-F	4 HOURS	\$26,892.10
<b>TOTAL EQUIPMENT SERVICE FEES</b>										<b>\$39,890.31</b>
(Exclusive of Taxes)										

**TOTAL AGREEMENT EQUIPMENT AND SOFTWARE SERVICE FEES: \$39,890.31 (Year 3)**

(Year 4: 11/01/2018 – 10/31/2019)

EQUIPMENT & MODEL	SERVICE I.D. NO.	SERIAL NO.	SERVICE TYPE	PM INSPS.	RM CALLS	PARTS	AGE	CONTRACTED PERIOD OF MAINTENANCE (CPM)	RESPONSE TIME	TOTAL SERVICE FEE
BH 2000 VIP INSERTER	94797A	55-30001008	Priority Service Plus	Semi-Annual	ALL	YES	13.29	8:30A – 5:00P M-F	4 HOURS	\$13,258.17
<b>TOTAL EQUIPMENT SERVICE FEES</b>										<b>\$13,258.17</b>
(Exclusive of Taxes)										

**TOTAL AGREEMENT EQUIPMENT AND SOFTWARE SERVICE FEES: \$13,258.17 (YEAR 4)**

# EXHIBIT A

## Section 2.1.A - Equipment Maintenance Services Coverage List

(Year 5: 11/01/19 – 10/31/20)

EQUIPMENT & MODEL	SERVICE I.D. NO.	SERIAL NO.	SERVICE TYPE	PM INSPS.	RM CALLS	PARTS	AGE	CONTRACTED PERIOD OF MAINTENANCE (CPM)	RESPONSE TIME	TOTAL SERVICE FEE
BH 2000 VIP INSERTER	94797A	55-30001008	Priority Service Plus	Semi-Annual	ALL	YES	14.29	8:30A – 5:00P M-F	4 HOURS	\$13,655.91

**TOTAL EQUIPMENT SERVICE FEES \$13,655.91**  
(Exclusive of Taxes)

**TOTAL AGREEMENT EQUIPMENT AND SOFTWARE SERVICE FEES: \$13,655.91 (YEAR 5)**