

CO14—017 AMENDMENT ELEVEN

THIS AMENDMENT ELEVEN to Agreement CO14-017 for Inmate Communication and Kiosk-Based Technology Access, dated DECEMBER 29, 2018 is made by and between CenturyLink Public Communications, Inc., (CenturyLink) and the Idaho Department of Correction (IDOC), collectively hereinafter referred to as the “Parties”.

WHEREAS, pursuant to the authority provided in Idaho Code §67-5717 and §67-5732 (*recodified at and superseded by Idaho Code § 67-9205 (2016)*) and Idaho Administrative Procedures Act (IDAPA) Rule 38.05.01.032, on May 19, 2014, IDOC entered into the Agreement for the provision of inmate telephone and kiosk-based services in correctional Facilities within the State of Idaho; and

WHEREAS, through Amendment One the Parties amended several sections of the Agreement, including §§ 6.2, 9.3, 10.10, 13.1(vii), 14.1, Appendix C and Exhibit 1; and

WHEREAS, through Amendment Two the Parties memorialized changes to several sections of the Agreement, including §§ 3.2, 8.8, 8.9, 11.4, 11.6, 13.3, 13.5, 13.6, 13.7, 14.1, and 15.4, addressing the introduction and launch of specific kiosk-based services through the ECS module; and

WHEREAS, the Parties through Amendment Three amended several Standard Operating Procedure (“SOP”) provisions of the Agreement, and amended §§ 5, 12.2, and 13.1, which addressed attorney number upload challenges and modified the inmate refund processes; and

WHEREAS, through Amendment Four the Parties added a new §13.7 to the Agreement, which allows for the provision of electronic greeting cards (also known as eCards) as an electronic offering available to Inmates who have access to wall-based kiosks; and

WHEREAS, through Amendment Five the Parties added a new §13.8 to the Agreement, which introduced the Game Store application to the offerings available to Inmates through which Inmates can purchase and download approved video games; and

WHEREAS, through Amendment Six the Parties corrected section reference errors in Amendment Four and Amendment Five; ensured compliance with Federal Communications Commission Order 15-136 in WC Docket No. 12-375, 80 Fed Reg. 79136 (Dec. 18, 2015) (“FCC Order”); modified the approved call types as set forth in §§ 13.1 and 14.1(i); adjusted the ADP Fee as noted in § 16.1; adjusted the per minute calling rate for all call types as set forth on Exhibit 1; and adjusted applicable deductions fees and charges as set forth on Exhibit 3; and

WHEREAS, through Amendment Seven the Parties corrected a SOP reference in §5; amended §10.11 to establish a health check report; provided for tax exempt status for certain inmates at the ICI-O Facility; amended the reporting requirements set forth on Appendix C of Amendment One; and amended the e-stamp price set forth on Exhibit 4 of Amendment Two; and

WHEREAS, through Amendment Eight the Parties added a new SOP to the list of applicable operating standards; replaced §§ 9.1 and 9.3; added the JP5s 7” tablet as an approved digital device; and updated § 16.1 to provide for ADP Fee payment tiers; and

WHEREAS, through Amendment Nine, the Parties added (i) video telephone calls and outbound VideoGrams; (ii) replace the former contractor training course with a new NEO course; (iii) update the cordless phone requirements; (iv) add a refund requirement for JPay; (v) add cyber

liability and security insurance and indemnification requirements; (vi) update and add definitions in Appendix A; and (vii) replace Appendix C,

WHEREAS through Amendment Ten the parties added the EDOVO Educational Platform to the services provided.

NOW THEREFORE, for valuable consideration the Parties hereto mutually agree to further amend the Agreement as follows:

1) **Exercise of the First Renewal Term.**

The Parties mutually agree to exercise the First Renewal Term, which will extend the Term of the Agreement for one year, as authorized in section 18.2 of the Agreement. As a result, Section 18.1 of the Agreement is changed to read as follows: "The Agreement shall commence on the Agreement Commencement Date and shall continue in full force and effect up through 11:59 p.m. June 30, 2020 (after being extended for "First Renewal Term") unless otherwise terminated as provided herein.

[The balance of this page was intentionally left blank.]

IN WITNESS WHEREOF, the Parties have caused this Amendment Eleven to be executed by their respective Authorized Representative and effective as of the last signature noted below.

CenturyLink Public Communications, Inc.

By: 

Date: 29 Dec 2018

Paul N. Cooper, Vice President & General Manager

THE STATE OF IDAHO
Idaho Department of Correction

By: 

Date: 1/03/2019

Josh Tewalt, Director