



STATE OF UTAH COOPERATIVE CONTRACT AMENDMENT

AMENDMENT # 5

CONTRACT # AR500

Original Starting Date: 08/01/08

Expiration Date: 07/31/13

TO BE ATTACHED AND MADE PART OF the specified contract by and between the State of Utah Division of Purchasing and

VALUE-ADDED COMMUNICATIONS

(Referred to as CONTRACTOR)

BOTH PARTIES AGREE TO AMEND THE CONTRACT AS FOLLOWS:

Amended Expiration Date: 07/31/14

Effective Date of Amendment: 07/31/13

Potential Renewal Options Remaining:

None

The contract is amended to:

To activate the Video Visitation feature offered in the State of Utah RFP – this would allow those participating under the State Contract to obtain video visitation under the state contract.

We do not anticipate that this feature would cause any reduction in the inmate phone commissions or generate a cost to the facility.

As allowed per the original RFP Specifications as follows:

1.6 Commission Revenue Guarantee

The contractor's proposed commission revenue percentage cannot be reduced during the term of the contract unless mutually agreed upon by the contractor and an authorized State representative. If industry commission revenue percentages trend upward during the term of the contract, then the contractor must agree to pass on such increase(s) to the State. If during the term of the contract, UDC requests the implementation of enhancements, technologies, etc. that are associated with the inmate system, e.g., voice recognition, video imaging, commissary systems, video visitation, video arraignment, e-mail correspondence, Data Mining Intelligence Software (this software could be acquired by UDC and overlaid on the inmate communication systems/service or it could be provided by the successful contractor – "to-be-determined"), etc., then the State will negotiate with the contractor: 1) a mutually agreeable, commission revenue percentage rate reduction for a specified period of time or 2) a contract term (extension) guarantee if any such term(s) remain (assuming that the State is pleased with the service being provided) in an effort to off-set the cost incurred by the contractor to acquire and implement the requested enhancement(s) and/or technologies; formal contract amendment(s) must reflect such negotiations.

With regard to the State's current inmate system contract AR1445, contract addendums have been processed over the contract term that resulted in commission rate reductions as a result of the implementation of voice print technology and inmate system replacements at the Draper and Gunnison sites. Over the term of AR1445, FSH's commission rate has been reduced from 48% to 44% as a result of two (2) 2% rate reductions.

The State will negotiate an equitable adjustment to the commission rate and/or other contract terms if, due to future laws, regulations, other governmental mandates, or additional correctional/security needs, the contractor's cost of providing the inmate system is materially increased and/or the rates that the contractor may charge to called parties are materially decreased. The contractor must substantiate their claim for relief.

FSH Response:

Accept and Comply.

FSH understands the Commission Revenue Guarantee for the purposes of this RFP.

4.3.1 It is recognized that the technology available for inmate

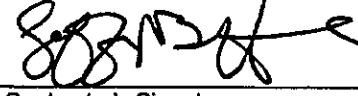
Please provide the following contact information.

	Name	Phone Number	Email Address
General Contact			
Sales Contact			
Quarterly Report Contact			

All other terms and conditions in the original contract remain the same.
IN WITNESS WHEREOF, the parties sign and cause this contract to be executed.

CONTRACTOR

STATE OF UTAH


Contractor's Signature 10/30/12
Date


Kent Beers, Director 10/31/12
State of Utah Division of Purchasing Date

Jeffrey O. Haidinger
Contractor's Name (Print)

President and COO
Title (Print)

Purchasing Agent	Phone #	e-mail	Fax #	Contract #
Debbie Gundersen	(801) 538-3150	dgundersen@utah.gov	(801) 538-3882	AR500

10/27/2008