

**AMENDMENT NO. 3
TO THE AGREEMENT FOR SERVICES
BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA,
AND
INFOSEND, INC.**

PREAMBLE

This agreement ("Amendment No. 3") is entered into between the City of Santa Clara, California, a chartered California municipal corporation (City) and InfoSend, Inc., a California corporation (Contractor). City and Contractor may be referred to individually as a "Party" or collectively as the "Parties" or the "Parties to this Agreement."

RECITALS

- A. The Parties previously entered into an agreement entitled "Agreement for the Performance of Services by and between the City of Santa Clara, California and InfoSend, Inc.", dated June 7, 2017 (Agreement);
- B. The Agreement was previously amended by Amendment No. 1, dated June 3, 2020, Amendment No. 2, dated May 21, 2021, and is again amended by this Amendment No. 3. The Agreement and all previous amendments are collectively referred to herein as the "Agreement as Amended"; and
- C. The Parties entered into the Agreement as Amended for the purpose of having Contractor provide bill print and mail services, and the Parties now wish to amend the Agreement as Amended to extend the term of the agreement through June 30, 2024 and increase compensation by Six Hundred Eighty Thousand Dollars (\$680,000) for a revised not-to-exceed maximum compensation amount of Two Million Three Hundred Eighty Thousand Dollars (\$2,380,000).

NOW, THEREFORE, the Parties agree as follows:

AMENDMENT TERMS AND CONDITIONS

1. Section 5 of the Agreement as Amended, entitled "Term of Agreement" is amended to read as follows:

Unless otherwise set forth in this Agreement or unless this paragraph is subsequently modified by a written amendment to this Agreement, the term of this Agreement shall begin on the Effective Date of this Agreement and terminate on June 30, 2024.

2. Exhibit B of the Agreement as Amended, entitled "Second Revised Fee Schedule", is hereby amended to read as shown in Third Revised Exhibit B, attached and incorporated into this Amendment No. 3.
3. Except as set forth herein, all other terms and conditions of the Agreement as Amended shall remain in full force and effect. In case of a conflict in the terms of the Agreement as Amended and this Amendment No. 3, the provisions of this Amendment No. 3 shall control.

The Parties acknowledge and accept the terms and conditions of this Amendment No. 3 as evidenced by the following signatures of their duly authorized representatives.

CITY OF SANTA CLARA, CALIFORNIA
a chartered California municipal corporation

Approved as to Form:

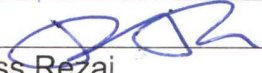
Dated: _____

Office of the City Attorney
City of Santa Clara

DEANNA J. SANTANA
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

"CITY"

INFOSEND, INC.
a California corporation

Dated: 10/11/2021
By (Signature): 
Name: Russ Rezai
Title: President
Principal Place of Business Address: 4240 East La Palma Ave.
Anaheim, CA 92807
Email Address: russ.r@infosend.com
Telephone: (800) 955-9330
Fax: (714) 993-1306
"CONTRACTOR"

THIRD REVISED EXHIBIT B FEE SCHEDULE

1. Maximum Compensation

The maximum compensation City will pay the Contractor for services and materials under this Agreement shall not exceed **Two Million Three Hundred Eighty Thousand Dollars (\$2,380,000)** during the term of the Agreement, subject to annual budget appropriations. Any additional services or materials requested by the City that would exceed the preceding maximum amount will be addressed in an Amendment to the Agreement.

2. Fees

The pricing set forth in this Third Revised Exhibit B is effective from July 1, 2022 through June 30, 2024.

InfoSend's Fees – Print and Mail Service: Estimated volume = 60,000 Bills Per Month (The individual prices shown in the table below apply only to the turnkey BillPrint and Mail service, some items can go up in price if sold separately)		
Services		
Bill and Notice Data Processing and printing - (60,000 per month)	\$0.0203 per piece	Per page. Includes address validation and presorting. Black simplex printing onto a pre-printed form.
Mail Prep (63,000 per month)	\$0.0290 per piece	Per page. Bill is folded and inserted (along with the return envelope if there is one) and delivered to the post office within 1 business day.
Insert Processing and Printing (300,000 per month)	\$0.0161 per piece	This pricing was specific to your sample "Mission City Scenes Insert" we were referred to as your reference. This is a larger insert and accounts for a significant portion of the insert page volume indicated.
Machine Inserting of Inserts into bill packages	\$0.0054 Per Piece	Same cost applies for inserting InfoSend-printed inserts and City- provided inserts.
Mail Delivery to USPS (63,000 per month)	\$0.00	No mail delivery fees
Postage (63,000 mailings per month)	Pass-Through	Lowest possible postage will be applied based on your billing file and CASS and pre-sort results. At the present time \$0.35 is the lowest possible rate – it is the First Class 5-Digit pre-sorted rate offered by the USPS. Higher postage rates apply for mail pieces that: weigh more than 2 oz, are addressed to a foreign address (you have the option of suppressing these), or contain an undeliverable address.
Materials Pricing		
Paper Stock for Bills and Notices (60,000 per month)	\$0.0138	Per page. Custom Form up to 3 color printing on 24# paper with a perforation. The bill stock uses normal paper, you can use recycled stock for an additional \$0.004 per sheet.
Paper Stock for Correspondence (3,000 per month)	\$0.0139	24# pound paper. The bill stock uses normal paper, you can use recycled stock for an additional \$0.004 per sheet.

Envelopes		Envelopes use sustainably logged paper, which is the equivalent or superior to recycled paper as there are no chemicals used in the recycling process. If you wish to use recycled content envelopes add \$0.004 to the price of each envelope.
Per RFP Spec Custom #10 Outgoing Envelope (60,000 per month)	Per Order	Cost to recreate the current outgoing envelope: Price is for 6-month orders at a time of custom single window envelope with 1 color ink being printed on the front, back and inside of the envelope. Price can go down or up as requirements change or order quantities change.
Per RFP Spec Custom #9 Return Envelope (60,000 per month)	\$0.0229	Cost to recreate the current return envelope: Price is for 12-month orders at a time of custom envelope with 1 color ink being printed on the front of the envelope. Price can go up or down as requirements change or order quantities change.
Alternative- Standard #10 Outgoing Envelope	\$0.0161	Per InfoSend standard double window outgoing envelope with security tint and plastic film protecting the windows (with this option the mailing address and return address are printed on the bill).
Alternative- Standard #9 Return Envelope	\$0.0142	Per InfoSend standard single window one color printing on the front, back and inside of the 22lb paper stock return envelope with security tint and plastic film protecting the windows, (with this option the mailing address is printed on the remittance stub). These envelopes use sustainably logged paper.
Other Services		
Help Desk Support (cost per month)	\$0.00	There are no help desk costs.
Professional Services (hourly rate)	\$155.91	A Statement of Work will be provided for every change request after Go Live.
Optional Services		
Electronic Address Updates – NCOALink or ACS	\$0.0032	Per mail piece cost to process mailing addresses using the National Change of Address (NCOA) database. Bills are mailed to the new address.
Document Imaging (63,000 per month)	\$0.0052	This is the cost to image the documents for online storage. Images are transferred to InfoSend's Print Image Archiving web application (storage costs on line below). They are also stored on up to 1 CD (FinalDoc CD product) per month and shipped to the City for long- term archiving (no extra cost for the CD). Additionally they can be transferred to the City's network at no additional cost (FinalDoc Transfer service).

Optional Duplex fee	\$0.0052	Upgrade to full color printed on both sides, base price of bill includes 4 colors front (full color) and 1 color back. This upgrade will make full color-duplex print.
Document Storage (63,000 per month)	\$0.0026	This is the cost to store the images online for 24 months from the mail date. Images can be stored online for 48 months for \$0.01 per image, and for 60 months for \$0.0125 per image.
Document Access (63,000 images per month)	\$0.00	No cost for document access
Mail Merge (price per piece)		Cost is a total of \$0.13 per piece to perform a mail merge and print and mail 1 page documents that are formatted to use InfoSend's standard double window outgoing envelope and standard single window return envelope. Price assumes mailing will have at least 20,000 addresses. No setup fee. Subtract \$0.013 from materials cost if no return envelope is required.
BangTail Envelopes	\$0.0800 per piece	Price for 1-month orders of BangTail envelopes. Price goes down if larger orders are placed.
"House Holding" - grouping multiple statements with the same mailing address together in the same outgoing envelope.	See Description	No cost to provide this service if the pages fit in the regular outgoing envelope. If there are too many pages grouped together to fit in the regular outgoing envelope then they are inserted by hand into a flat envelope and a \$0.25 labor surcharge applies and the cost of the flat envelope is \$0.16. Using house holding saves the City money because it reduces postage costs.

Postage Deposit

InfoSend purchases the postage needed to mail Client documents on the day of mailing. The postage charges are later invoiced to Client based on the Client's payment terms. InfoSend requires Client to submit a postage deposit prior to the first mailing to facilitate the payment terms. This amount will remain in deposit for the duration of the Agreement. Upon Agreement expiration or termination, Client must pay in full any outstanding invoices from InfoSend for payables created under this Agreement; the postage deposit will be refunded within fifteen (15) days of the date that the last open invoice is paid.

The postage deposit is subject to an annual review and may be adjusted to account for changes to Client average mailing volume or changes to the USPS postage rates. There will be no more than one adjustment requested per year, it at all.

The postage deposit amount is calculated by multiplying the estimated number mail pieces per month by the current 5-Digit presorted first class postage rate. The postage deposit amount due for your account is:

P.O. amount on account: \$22,680.00

Terms: Net 30