



Modification Memo

January 26, 2010

To: Darlene J. Bloom, Clerk of the Board of Supervisors.

From: Thomas G. Mauk, County Executive Officer

Subject: Revision to ASR 10-001678 – Item #20 for the February 1, 2011 Board Meeting
Amendment to Agreement for Board Meeting Broadcast Services

2011 JAN 26 PM 19
CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS

Explanation: Modification to Recommended Action, Summary, Background Information and Revised Attachment.

Current Recommended Action

Authorize the Purchasing Agent or his designee to issue Amendment Four to Price Agreement N1000008540 with Network Television Time, Inc. to renew the agreement for Board of Supervisors broadcast services and equipment for one additional contract year, effective April 1, 2011 through March 31, 2012, in an amount not to exceed \$415,000

Revised Recommended Action

Authorize the Purchasing Agent or his designee to issue Amendment Four to Price Agreement N1000008540 with Network Television Time, Inc. to renew the agreement for Board of Supervisors broadcast services and equipment for one additional contract year, effective April 1, 2011 through March 31, 2012, in an amount not to exceed \$280,000.

Current Summary

CEO Community/Media Relations requests approval of Amendment Four to Price Agreement N1000008540 with Network Television Time, Inc. to renew Board of Supervisors broadcast services and equipment. The contract is for the period April 1, 2011 through March 31, 2012 at a total cost not to exceed \$415,000.

Revised Summary

In light of the County's current financial situation, the County has worked with the contractor to look for areas of cost reduction. The revised price agreement includes reductions in equipment and personnel costs that result in a lower overall cost during the final year of the contract. CEO Community/Media Relations requests approval of Amendment Four to Price Agreement N1000008540 with Network Television Time, Inc. to renew Board of Supervisors broadcast services and equipment. The contract is for the period April 1, 2011 through March 31, 2012 at a total cost not to exceed \$280,000.

Current Background Information 2nd Paragraph

CEO Community/Media Relations is requesting approval of Amendment Four to Price Agreement N1000008540 with Network Television Time, Inc., to renew the agreement for Board of Supervisors broadcast services and equipment for one additional contract year, effective April 1, 2011 through March 31, 2012, in an amount not to exceed \$415,000.

Revised Background Information 2nd Paragraph

In light of the County's current financial situation, the County has worked with the contractor to look for areas of cost reduction. The revised price agreement includes reductions in equipment and personnel costs that result in a lower overall cost during the final year of the contract. CEO Community/Media Relations is requesting approval of Amendment Four to Price Agreement N1000008540 with Network Television Time, Inc., to renew the agreement for Board of Supervisors broadcast services and equipment for one additional contract year, effective April 1, 2011 through March 31, 2012, in an amount not to exceed \$280,000.

Revised Attachment:- Amendment Number Four to Price Agreement N1000008540 between the County of Orange and Network Television Time, Inc.
(Attached)

cc: Members, Board of Supervisors
Nick Chrisos, County Counsel
Rob Richardson, County Executive Office

**Amendment Number FOUR
To Price Agreement N1000008540
Between The
County Of Orange
And
Network Television Time, Inc.**

THIS FOURTH AMENDMENT of the Contract N1000008540 (hereinafter "Amendment Number Four") between the County of Orange ("County") and Network Television Time, Inc. ("Contractor") which are sometimes individually referred to as "Party" or collectively referred to as "Parties."

WHEREAS, the Board of Supervisors approved the original Contract with Network Television Time, Inc for Board of Supervisors Video Services and Equipment Services as Price Agreement N1000008540 (hereinafter "Contract") for the period April 1, 2007 through March 31, 2008; and

WHEREAS, the Board of Supervisors approved Amendment Number One to renew the Contract for one additional year for the period April 1, 2008 through March 31, 2009 and to amend Attachments A and C; and

WHEREAS, the Board of Supervisors approved Amendment Number Two to renew the Contract for one additional year for the period April 1, 2009 through March 31, 2010 and to amend Attachments A and C; and

WHEREAS, the Board of Supervisors approved Amendment Number Three to renew the Contract as MA-017-10011921 for one additional year for the period April 1, 2010 through March 31, 2011 and to amend Attachments A and C; and;

WHEREAS, the Parties desire to amend the Contract to amend pricing and renew the Contract for one additional year in the manner set forth herein;

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

1. Section 2 of the Contract is amended to read in its entirety as follows:

"2. Term of Contract: This Contract shall be for five years, commencing April 1, 2007 and continuing in effect through and including March 31, 2012, unless otherwise terminated by County.

2. Attachment C, Subparagraph 2 is amended to read as follows.

"2. PAYMENT SCHEDULE: County shall pay Contractor at the fixed rate set forth below:

a. <u>Equipment Costs</u>	<u>Unit Description</u>	<u>Cost/Unit: Year One</u>	<u>Cost/Unit: Year Two, Three, Four</u>	<u>Cost/Unit: Year Five</u>
1) Control Room & Board Room Equipment Usage	Per Month	\$11,347.50	\$11,347.50	\$10,213.00
2) Duplication Equipment Usage Fee to DVD format for (9) cable systems and to Time Warner Video On Demand encoded format. VOD video must be edited into one hour lengths for VOD playback. DVD must have program "opening" and "ending" added to recorded Board Meeting.	Per Month	\$4,578.75	\$4,578.75	\$1,333.00

b. <u>Meeting Production Costs</u>	<u>Unit</u>	<u>Cost/Unit:</u>	<u>Cost/Unit:</u>	<u>Cost/Unit:</u>
---	--------------------	--------------------------	--------------------------	--------------------------

	<u>Description</u>	<u>Year One</u>	<u>Year Two, Three, Four</u>	<u>Year Five</u>	
1)	Control Room & Board Room Equipment Usage	Per Meeting	\$3,026.00	\$3,026.00	\$3,026.00
2)	Duplication Equipment Usage Fee (multiple formats as needed)	Per Meeting	\$1,221.00	\$1,221.00	\$1,221.00
3)	Production Personnel (List classification/title)	Per Meeting			
	a. Broadcast Producer		\$295.00	\$295.00	\$265.00
	b. Webcast Producer		\$295.00	\$295.00	\$265.00
	c. Broadcast Director		\$195.00	\$195.00	\$175.00
	d. Webcast Director		\$195.00	\$195.00	\$175.00
	e. Television Engineer		\$195.00	\$195.00	\$175.00
	f. Webcast Engineer		\$195.00	\$195.00	\$175.00
4)	Duplication Personnel (all)	Per Meeting	\$95.00	\$95.00	\$85.00
5)	Scrolling Agenda Text Information	Per Meeting	\$139.00	\$139.00	\$125.00
6)	Webcasting	Per Meeting	\$295.00	\$295.00	\$236.00
7)	Online Searchable Archives and Media Hosting	Per Meeting	\$395.00	\$395.00	\$316.00
8)	Online Government Channel	Per Meeting	\$395.00	\$395.00	\$316.00
9)	Long Term Archive Storage (cost is not effective until Year Two, if Contract is renewed)	Per Meeting	\$0	\$295.00	\$236.00

<u>c. Closed Captioning/Verbatim Transcript Costs</u>		<u>Unit Description</u>	<u>Cost/Unit: Year One</u>	<u>Cost/Unit: Year Two, Three, Four</u>	<u>Cost/Unit: Year Five</u>
1)	Closed Captioning – Premium Services	Per Hour	\$225.00	\$225.00	\$139.00
2)	Verbatim Meeting Transcript Transcript of Board Meeting delivered within 24 hours of Board Meeting and be formatted on lined pages as a legal document.	Per Transcript	\$0	\$0	\$0

<u>d. Commodity Costs</u>		<u>Unit Description</u>	<u>Cost/Unit: Year One</u>	<u>Cost/Unit: Year Two, Three, Four</u>	<u>Cost/Unit: Year Five</u>
1)	BetaSP Videotape (60 minutes)	Per Tape	\$12.00	\$12.00	\$12.00
2)	VHS Videotape (120 minutes)	Per Tape	\$1.00	\$1.00	\$1.00
3)	S-VHS Videotape (120 minutes)	Per Tape	\$3.80	\$3.80	\$3.80
4)	¼ Videotape ¼ inch (60 minutes)	Per Tape	\$13.50	\$13.50	\$13.50
5)	DVDs (single-side)	Per DVD	No charge	No charge	No charge

<u>e. As-Needed Costs: Costs shall not exceed \$50,000 per year</u>		<u>Unit Description</u>	<u>Cost/Unit: Year One</u>	<u>Cost/Unit: Year Two, Three, Four</u>	<u>Cost/Unit: Year Five</u>
1)	Production of public service announcements to be aired in conjunction with Board meeting program	Per PSA	\$300.00	\$300.00	\$300.00
2)	Production of television promotional announcements to be aired on cable and/or broadcast stations that are airing programs of the Board meetings	Per Announcement	\$300.00	\$300.00	\$300.00

A fully amended copy of Attachment C is attached hereto as Attachment C and incorporated by this reference.

4. Attachment C, Subparagraph 3 is amended to show pricing in effect for Year Five.

<u>Item</u>	<u>Unit Description</u>	<u>Cost/Unit: Year One, Two, Three, Four</u>	<u>Cost/Unit: Year Five</u>
Spanish Language Translation (SAP)	Per Hour/4 hours Minimum	\$300.00	\$300.00
Telephone audio monitoring of meeting	Per Meeting	\$200.00	\$200.00
Production, changes and revisions of informational County documentary to be used as opening sequence for each program of the Board meetings	Per Sequence	\$300.00	\$300.00
Archive of Board meetings to medium other than videotape such as CD, DVD or other emerging storage format	Per Meeting	\$1.00	\$1.00
On-line library of all programs of Board meetings which can be accessed over Internet	Per Meeting	\$395.00	\$395.00
Production, changes and revisions of any and all onscreen graphics, including County logo, on-screen identification of speakers and agenda items, and any other regularly appearing graphic information	Per Hour	\$70.00	\$70.00
Production and duplication of videotaped programs of Board meetings in formats in addition to analog BETA SP, ½ inch UMATIC, SVHS, VHS and/or DVD	Per Meeting	\$13.00	\$13.00
Rental of production and duplication equipment required for the production and duplication of videotaped programs of Board meetings in formats in addition to analog BETA SP, ½ inch UMATIC, SVHS, VHS and/or DVD	Per Meeting	\$100.00	\$100.00
Video and audio distribution box to enable local television stations to access the feed from time to time	Per Box	\$200.00	\$200.00
Installation of robotic cameras and control room equipment	Per Hour	\$85.00	\$85.00
Video Production	Per Hour	\$100.00	\$50.00
Video Editing	Per Hour	\$100.00	\$100.00
Video Graphics	Per Hour	\$100.00	\$100.00
Video Format Conversion	Per Hour	\$100.00	\$100.00
Voice Over Recording	Per Hour	\$100.00	\$100.00
Tele-Prompter Rental	Per Day	\$100.00	\$100.00
Script Writing	Per Hour	\$100.00	\$100.00
Camera Installation	Per Hour	\$100.00	\$100.00
Service Modifications	Per Hour	\$100.00	\$100.00
Website Design Changes	Per Hour	\$100.00	\$100.00
Website Programming	Per Hour	\$100.00	\$100.00
WMF to Flash Migration	Per Hour	\$100.00	\$100.00
Field Camera System Rental	Per Day	\$100.00	\$100.00
Meeting Speaker Name Identification System	Per Meeting	\$200.00	\$200.00
Special Large Equipment Rental	Per Day	\$300.00	\$300.00
Small Equipment Rental	Per Day	\$100.00	\$80.00
Off-Site Multi-Camera Video Production	Per Day	\$10,000.00	\$10,000.00
Voice-Over Talent	Per Hour	\$100.00	\$100.00
Field Camera System Instruction	Per Hour	\$100.00	\$100.00
Background Music	Per Cue	\$100.00	\$100.00
Duplication for any format	Per Hour	\$100.00	\$100.00

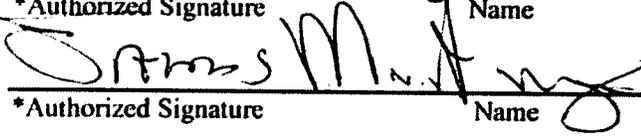
Change photo of Supervisor on Board Meeting archive website	Per Flat	\$300.00	\$300.00
Change photo of Supervisor on Online Channel	Per Flat	\$200.00	\$200.00
Preliminary Board Meeting Transcript	Per Flat	\$250.00	\$250.00
Package Service Discount (20%)		<u>-\$50.00</u>	<u>-\$50.00</u>
		\$200.00	\$200.00
Additional Internet Bandwidth	Per GB	\$2 per GB	\$2 per GB

A fully amended copy of Attachment C is attached hereto as Attachment C and incorporated by this reference.

5. All other provisions of the Contract, including all amendments thereto, a copy of which is attached hereto as Exhibit A and incorporated by this reference, to the extent they are not inconsistent with this Amendment, remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment Number Four on the dates shown opposite their respective signatures below.

Network Television Time, Inc.

	Bruce Arditte, Pres	1/25/11
*Authorized Signature	Name	Date
	[unclear] CFO	1-25-11
*Authorized Signature	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 treasurer.

COUNTY OF ORANGE
A political subdivision of the State of California

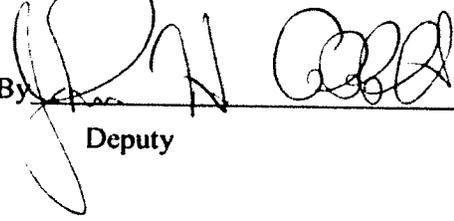
By _____

Date _____

Approved by Board of Supervisors on: _____

Approved as to Form:

County Counsel

By  _____
Deputy

Date 01.26.11

EXHIBIT A

Original Contract N100008540

(This page intentionally left blank)

**ATTACHMENT C
COST/COMPENSATION FOR CONTRACTOR SERVICES**

1. **COMPENSATION:** This is a fixed-fee Contract between County and Contractor for services as provided in Attachment A, Scope of Work. Contractor agrees to supply all goods and services required to perform the services. Contractor agrees to accept the specified compensation as set forth in this Contract as full remuneration for performing all services and furnishing all staffing and materials required, for any reasonably unforeseen difficulties which may arise or be encountered in the execution of the services until acceptance, for risks connected with the services, and for performance by Contractor of all its duties and obligations hereunder. County shall have no obligation to pay any sum in excess of total Contract amount specified herein unless authorized by amendment. Contract Not To Exceed \$280,000.00.

2. **PAYMENT SCHEDULE:** County shall pay Contractor at the fixed rate set forth below:

a. <u>Equipment Costs</u>	<u>Unit Description</u>	<u>Cost/Unit: Year One</u>	<u>Cost/Unit: Year Two, Three, Four</u>	<u>Cost/Unit: Year Five</u>
1) Control Room & Board Room Equipment Usage	Per Month	\$11,347.50	\$11,347.50	\$10,213.00
2) Duplication Equipment Usage Fee to DVD format for (9) cable systems and to Time Warner Video On Demand encoded format. VOD video must be edited into one hour lengths for VOD playback. DVD must have program "opening" and "ending" added to recorded Board Meeting.	Per Month	\$4,578.75	\$4,578.75	\$1,333.00

b. <u>Meeting Production Costs</u>	<u>Unit Description</u>	<u>Cost/Unit: Year One</u>	<u>Cost/Unit: Year Two, Three, Four</u>	<u>Cost/Unit: Year Five</u>
1) Control Room & Board Room Equipment Usage	Per Meeting	\$3,026.00	\$3,026.00	\$3,026.00
2) Duplication Equipment Usage Fee to DVD format for (9) cable systems and to Time Warner Video On Demand encoded format. VOD video must be edited into one hour lengths for VOD playback. DVD must have program "opening" and "ending" added to recorded Board Meeting.	Per Meeting	\$1,221.00	\$1,221.00	\$1,221.00
3) Production Personnel (List classification/title)	Per Meeting			
a. Broadcast Producer		\$295.00	\$295.00	\$265.00
b. Webcast Producer		\$295.00	\$295.00	\$265.00
c. Broadcast Director		\$195.00	\$195.00	\$175.00
d. Webcast Director		\$195.00	\$195.00	\$175.00
e. Television Engineer		\$195.00	\$195.00	\$175.00
f. Webcast Engineer		\$195.00	\$195.00	\$175.00
4) Duplication Personnel (all)	Per Meeting	\$95.00	\$95.00	\$85.00
5) Scrolling Agenda Text Information	Per Meeting	\$139.00	\$139.00	\$125.00
6) Webcasting	Per Meeting	\$295.00	\$295.00	\$236.00
7) Online Searchable Archives and Media Hosting	Per Meeting	\$395.00	\$395.00	\$316.00
8) Online Government Channel	Per Meeting	\$395.00	\$395.00	\$316.00
9) Long Term Archive Storage (cost is not effective until Year Two, if Contract is renewed)	Per Meeting	\$0	\$295.00	\$236.00

c. <u>Closed Captioning/Verbatim Transcript Costs</u>	<u>Unit Description</u>	<u>Cost/Unit: Year One</u>	<u>Cost/Unit: Year Two, Three, Four</u>	<u>Cost/Unit: Year Five</u>
1) Closed Captioning – Premium Services	Per Hour	\$225.00	\$225.00	\$139.00
2) Verbatim Meeting Transcript Transcript of Board Meeting delivered within 24 hours of Board Meeting and be formatted on lined pages as a legal document	Per Transcript	\$0	\$0	\$0

d. <u>Commodity Costs</u>	<u>Unit Description</u>	<u>Cost/Unit: Year One</u>	<u>Cost/Unit: Year Two, Three, Four</u>	<u>Cost/Unit: Year Five</u>
1) BetaSP Videotape (60 minutes)	Per Tape	\$12.00	\$12.00	\$12.00
2) VHS Videotape (120 minutes)	Per Tape	\$1.00	\$1.00	\$1.00
3) S-VHS Videotape (120 minutes)	Per Tape	\$3.80	\$3.80	\$3.80
4) ¼ Videotape ¼ inch (60 minutes)	Per Tape	\$13.50	\$13.50	\$13.50
5) DVDs (single-side)	Per DVD	No charge	No charge	No charge

e. <u>As-Needed Costs: Costs shall not exceed \$50,000 for Year One or Year Two</u>	<u>Unit Description</u>	<u>Cost/Unit: Year One</u>	<u>Cost/Unit: Year Two, Three, Four</u>	<u>Cost/Unit: Year Five</u>
1) Production of public service announcements to be aired in conjunction with Board meeting program	Per PSA	\$300.00	\$300.00	\$300.00
2) Production of television promotional announcements to be aired on cable and/or broadcast stations that are airing programs of the Board meetings	Per Announcement	\$300.00	\$300.00	\$300.00

3. EXTRA SERVICES

If County requests Extra Services, as specified in Attachment A, subparagraph B.16, County shall pay Contractor at the fixed rate set below. The Extra Services shall be provided pursuant to the terms of this Contract, but at an additional cost to County. If provision of such Extra Services will result in total payment to the Contractor for the Contract Period exceeding the Total Contract Maximum amount approved by the County Board of Supervisors, approval of additional funding may be subject to the approval of the County Board of Supervisors prior to provision of such Extra Services.

<u>Item</u>	<u>Unit Description</u>	<u>Cost/Unit: Year One, Two, Three, Four</u>	<u>Cost/Unit: Year Five</u>
Spanish Language Translation (SAP)	Per Hour/4 hours Minimum	\$300.00	\$300.00
Telephone audio monitoring of meeting	Per Meeting	\$200.00	\$200.00
Production, changes and revisions of informational County documentary to be used as opening sequence for each program of the Board meetings	Per Sequence	\$300.00	\$300.00
Archive of Board meetings to medium other than videotape such as CD, DVD or other emerging storage format	Per Meeting	\$1.00	\$1.00
On-line library of all programs of Board meetings which can be accessed over Internet	Per Meeting	\$395.00	\$395.00

Production, changes and revisions of any and all onscreen graphics, including County logo, on-screen identification of speakers and agenda items, and any other regularly appearing graphic information	Per Hour	\$70.00	\$70.00
Production and duplication of videotaped programs of Board meetings in formats in addition to analog BETA SP, ¼ inch UMATIC, SVHS, VHS and/or DVD	Per Meeting	\$13.00	\$13.00
Rental of production and duplication equipment required for the production and duplication of videotaped programs of Board meetings in formats in addition to analog BETA SP, ¼ inch UMATIC, SVHS, VHS and/or DVD	Per Meeting	\$100.00	\$100.00
Video and audio distribution box to enable local television stations to access the feed from time to time	Per Box	\$200.00	\$200.00
Installation of robotic cameras and control room equipment	Per Hour	\$85.00	\$85.00
Video Production	Per Hour	\$100.00	\$50.00
Video Editing	Per Hour	\$100.00	\$100.00
Video Graphics	Per Hour	\$100.00	\$100.00
Video Format Conversion	Per Hour	\$100.00	\$100.00
Voice Over Recording	Per Hour	\$100.00	\$100.00
Tele-Prompter Rental	Per Day	\$100.00	\$100.00
Script Writing	Per Hour	\$100.00	\$100.00
Camera Installation	Per Hour	\$100.00	\$100.00
Service Modifications	Per Hour	\$100.00	\$100.00
Website Design Changes	Per Hour	\$100.00	\$100.00
Website Programming	Per Hour	\$100.00	\$100.00
WMF to Flash Migration	Per Hour	\$100.00	\$100.00
Field Camera System Rental	Per Day	\$100.00	\$100.00
Meeting Speaker Name Identification System	Per Meeting	\$200.00	\$200.00
Special Large Equipment Rental	Per Day	\$300.00	\$300.00
Small Equipment Rental	Per Day	\$100.00	\$80.00
Off-Site Multi-Camera Video Production	Per Day	\$10,000.00	\$10,000.00
Voice-Over Talent	Per Hour	\$100.00	\$100.00
Field Camera System Instruction	Per Hour	\$100.00	\$100.00
Background Music	Per Cue	\$100.00	\$100.00
Duplication for any format	Per Hour	\$100.00	\$100.00
Change photo of Supervisor on Board Meeting archive website	Per Flat	\$300.00	\$300.00
Change photo of Supervisor on Online Channel	Per Flat	\$200.00	\$200.00
Preliminary Board Meeting Transcript	Per Flat	\$250.00	\$250.00
Package Service Discount (20%)		(\$50.00)	(\$50.00)
		\$200.00	\$200.00
Additional Internet Bandwidth	Per GB	\$2 per GB	\$2 per GB

4. PAYMENT TERMS:

Payment for services shall be as follows. County's project manager will be responsible for verification and approval of invoices.

- a. Equipment Costs: County shall pay monthly in advance for Equipment Costs in accordance with the provisions of the Contract.
- b. Meeting Production Costs: County shall pay monthly in arrears for Meeting Production Costs in accordance with the provisions of the Contract.

- c. **Closed Captioning Costs:** County shall pay monthly in arrears for Closed Captioning Costs in accordance with the provisions of the Contract.
- d. **Commodity Costs:** County shall pay monthly in arrears for Commodity Costs in accordance with the provisions of the Contract.
- e. **As-Needed Costs:** County shall pay monthly in arrears for As-Needed Costs in accordance with the provisions of the Contract. As-Needed Costs shall not exceed \$50,000 for the Contract Term.

5. PAYMENT/INVOICING INSTRUCTIONS:

Contractor shall reference Contract number on invoice. Payment will be net 30 days after receipt of an invoice in a format acceptable to County and verified and approved by the agency/department and subject to routine processing requirements. The responsibility for providing an acceptable invoice to County for payment rests with Contractor. Incomplete or incorrect invoices are not acceptable and will be returned to Contractor for correction. County's project manager, or designee, is responsible for approval of invoices and subsequent submittal of invoices to the Auditor-Controller for processing of payment.

Billing shall cover services and/or goods not previously invoiced. Contractor shall reimburse County for any monies paid to Contractor for goods or services not provided or when goods or services do not meet the Contract requirements.

Payments made by County shall not preclude the right of County from thereafter disputing any items or services involved or billed under this Contract and shall not be construed as acceptance of any part of the goods or services.

Contractor will provide an invoice on Contractor's letterhead for services rendered. Each invoice will have a number and will include the following information:

- a. Contractor's name and address
- b. Contractor's remittance address
- c. County Contract number
- d. Contractor's Federal I.D. number
- e. Name and description of billed item
- f. Total invoice amount

Invoices and support documentation are to be forwarded to:

County of Orange - County Executive Office
Attn: Media Relations
10 Civic Center Plaza, 3rd Floor
Santa Ana, CA 92701