

## **EXHIBIT-A**

**To Agreement by and between  
District Attorney of Monterey County, hereinafter referred to as “County”  
AND  
West Publishing Corporation, hereinafter referred to as “CONTRACTOR”**

### **Scope of Services / Payment Provisions**

#### **A. SCOPE OF SERVICES**

- A.1** CONTRACTOR shall provide services and staff, and otherwise do all things necessary for or incidental to the performance of work, as set forth below:
- a. CONTRACTOR will provide software and internet application to provide the capabilities detailed herein.
  - b. County understands that compensation for this capability will be a monthly charge based on the number of licensed users and the number of optional services obtained, as detailed herein.

#### **A.2 SUPPORT PROVIDED**

- a. CONTRACTOR will provide support (e.g. software updates, general program enhancements and technical support) for all software provided, including ongoing unlimited telephone technical support problem determination, and resolution. Support services include the detection and correction of software errors and the implementation of all CLEAR program changes, updates and upgrades. CONTRACTOR shall respond to the inquiries regarding the use and functionality of the solution as issues are encountered by Authorized Users.
- b. County will provide internet access utilizing county capabilities, with WAN connection speeds of a minimum 45Mbps down and 5Mbps up. This utilization of County WAN resources was approved in June 2015 for use on this application.

#### **A.3 HOURS OF OPERATION**

- a. CONTRACTOR will provide technical support Monday through Sunday, for twenty-four (24) hours a day . CONTRACTOR provides a toll-free number and an email address for client support.

## A.4 CLEAR Product Description

- (1) **Real-time Gateways** - CLEAR includes several live gateways that provide real-time access to data, helping to ensure that users can obtain the most up-to-date information available. CLEAR's real-time access includes gateways to credit header data, vehicle registration data, and phone data—including cell phones.
- (2) **Locator data** – Live gateways, mentioned above, are valuable for obtaining the most current address available, but other types of data can be especially useful in this regard, too. Utility records can be particularly valuable for obtaining current addresses. The utility data is updated daily and is included in both the Person Search and the Phone Search. In addition to the utility data source, utility hookup records are also contained in the New Movers data set, updated monthly and available in the Person Search and Phone Search. Other data sets traditionally relied upon for helping to locate subjects include the credit header data and phone data, both of which include live gateways in CLEAR.
- (3) **Web Analytics** - CLEAR offers the Web Analytics add-on option as a federated data source. This search feature provides access to both deep-Web and surface-Web content from one search interface. Web Analytics provides information in real time from its data sources:

The Surface-Web data returns search results similar to those that would be returned by traditional search engines. The surface Web, also known as the visible Web, is a portion of the World Wide Web that is indexed by conventional search engines such as Google™.

The Deep-Web data returns records and images typically not found using traditional search engines. Deep Web may contain up to one trillion pages of information, versus approximately 20 billion pages on the searchable surface Web.

Searching against the Web Analytics data sources can be done using the Person Search tab (by name, name/city/state, email address, or screen name), the Business Search tab (by business name), or the Phone Search (by ten-digit phone number).

Photos, email addresses, information from social networking sites, business networking sites, blog entries, and more, can be returned and categorized for easy review, potentially saving hours of research on individual sites. With one search, users can search both public records data sources and open source information available on the Internet.

The Web Analytics search results are grouped based on different categories, and these groups can be expanded and collapsed. Using the Filter Results panel, users can filter for those records that match a certain Category and/or Frequency.

Through the filter window, CLEAR uses key words that occur across the entire set of search results to help identify the most relevant results. Keywords such as terrorist, felon, and fraud will display as Possible Red Flags.

- (4) **Credit Headers** - Regularly updated files from two of the major credit bureaus—Experian and TransUnion—are included in CLEAR’s Person Search. Each of these header files contains hundreds of millions of records, covering all 50 states and U.S. territories. These files are valued for typically providing identifying information such as Social Security number, date of birth, and aliases, as well as locator information, such as address and phone number. Additionally, three data sets provide historical credit header data: Address Compilation, Historical Credit Bureau, and Experian. Coverage from these files is nationwide, with limited coverage of U.S. territories. These files are valuable for expanding on a subject’s address history and for possibly divulging additional aliases.
- (5) **Utility Records** - This data set contains information from more than 80 national and regional electric, cable, gas, and telephone companies. This coverage is nationwide and also includes records from Guam, Puerto Rico, and the U.S. Virgin Islands. This data is particularly valuable for obtaining current addresses that may not be found elsewhere but also contains historical records from up to 2.5 years of customer service information and, where available, up to four (4) years of unpaid/ closed account history.
- (6) **Driver License** - Driver license information that is updated on a monthly basis is available from multiple states. Historical driver license information is available from 20 states. Driver license data is typically valued by users for its ability to provide identifier information such as date of birth, Social Security number, or driver’s license number.
- (7) **Death Filings** - Death filings contain tens of millions of records from the Social Security Administration (SSA) on deaths reported to the SSA. These files are updated weekly.
- (8) **New Movers** - This data set comprises 12-15 million records regarding U.S.-consumer household data, compiled from a variety of sources, including utility data. Records are organized according to head of household with other household members named. Updates to this file occur monthly.
- (9) **CLEAR Reports:** Ordering a report on a subject provides a solid overview of the different types of information available on that subject.
- (10) **Comprehensive Data—including Real-time Data**  
Each report in CLEAR draws upon search logic that was specifically tailored for public records retrieval and facilitates records associated with a given subject being gathered from multiple data sources. For instance, a report ordered about an individual will include related data across the various search tabs, such as Person, Asset, Phone, License, and Court. The resulting report provides a thorough overview of the information related to a subject. Of particular value is the inclusion of real-time gateways in the report compilation, in some cases, gateways that are not available when running a search. These gateways ensure that report data is the most current data available on a subject.

**(11) National Comprehensive Report** - The National Comprehensive Report provides a comprehensive view of data relating to an individual and contains all of the types of information found in a Basic Report, including the real-time information from gateways, plus information from more extensive data sets, thereby providing a summary of assets, driver license information, professional licenses, et cetera, for a given subject. The National Comprehensive Report can also be customized to include additional information regarding Relatives, Neighbors, and Associates.

**(12) CLEAR Alerts:** The ability to keep up with changes regarding a subject of interest. CLEAR allows users to create Alerts for a person when we want to be notified of any key information changes on the person under investigation. The Alerts feature automatically monitors the status of selected data, at selected time intervals. Alert notices can be received on a periodic basis, from daily up to monthly frequencies, and delivered via an email or upon the user's next CLEAR login.

Alerts are divided into the following data categories:

- Specific Attributes
- Person Information
- Business Information
- Potentially Adverse
- Licenses

When modifications or new facts are added to the record, CLEAR sends a notification to update users with the most current information.

**(13) CLEAR Mobile** - Access CLEAR from Wireless Devices

With CLEAR Mobile, the benefits of using CLEAR extend to wireless devices. CLEAR Mobile provides the same great data and search capability as in CLEAR for Person, Phone, and Vehicle searches. Entity resolution is engaged in returning results for these searches on CLEAR Mobile, so users see the streamlined Result Groups. National Comprehensive Reports (including with associates) can be ordered via CLEAR Mobile and are stored in My Results for later viewing from the desktop. Those Result Groups can also be saved to My Workspace folders, also for working with later from the desktop. For addresses returned in CLEAR Mobile, customers can engage map views through the integration with Google Maps into Workspace.

## **A.5 Changes to Standard Agreement**

- a. CONTRACTOR has requested the following modifications to the Standard Agreement and COUNTY agrees to the following:

- (1) Paragraph 9.01, delete last sentence of paragraph 2 in its entirety, “This approval of insurance shall neither relieve nor decrease the liability of the Contractor.”
- (2) Paragraph 9.04, paragraph 2, delete the first sentence, which begins “Each liability policy...” and replace with the following, “Commercial general liability policy shall provide that Insurers will endeavor to provide written notice thirty days in advance for cancellation or intended non-renewal.”
- (3) Paragraph 9.04, paragraph 3, at the end of both sentences 2 and 3, add the following “, or its equivalent.”
- (4) Paragraph 9.04, paragraph 4, delete sentence 2 in its entirety, which begins, “The CONTRACTOR shall file a new or amended...”
- (5) Paragraph 3.02, delete the following words, “...without cause, with a thirty day (30) written notice, or...”, so the sentence now reads, “The County reserves the right to cancel this Agreement, or any extensions of this Agreement, with cause immediately.”
- (6) Delete paragraph 7.01 in its entirety, “During the term of this Agreement...”.

**B. PAYMENT PROVISIONS**

**B.1 COMPENSATION/ PAYMENT**

- a. Upon receipt of a complete and proper invoice, County shall pay a MONTHLY amount for the performance of all things necessary for the performance of work as set forth in the Scope of Services, the monthly amounts is detailed below. CONTRACTOR will provide an invoice detailing the charges based on the rates as detailed herein. CONTRACTOR'S compensation for services rendered shall be based on the following rates or in accordance with the following terms:

<b>Pricing Band</b>	<b>Monthly Support Services</b>	<b>Maximum Users</b>	<b>Monthly Price</b>
(1)	CLEAR for Government Fraud	7 Users	\$834.71

- b. Total compensation for the duration of this contract will not exceed \$40,000.00, which is for the duration of this contract and is not an annual amount.
- c. **Rate Increases.** County agrees to commit to a minimum term of 36 months: the monthly charges for the second 12 months not to increase by more than 5% over the monthly charges for the initial 12 months; and monthly charges for the third 12 months not to increase by more than 5% over the monthly charges for the second 12 months. Rate increases are included in this agreement with the understanding that additional content and new information will be developed and added routinely by CONTRACTOR over the term of the agreement, thereby increasing the efficiency of the support services.

## **B.2 CONTRACTORS BILLING PROCEDURES**

NOTE: Payment may be based upon satisfactory acceptance of each deliverable, payment after completion of each major part of the Agreement, payment at conclusion of the Agreement, etc.

County may, in its sole discretion, terminate the contract or withhold payments claimed by CONTRACTOR for services rendered if CONTRACTOR fails to satisfactorily comply with any term or condition of this Agreement.

No payments in advance or in anticipation of services or supplies to be provided under this Agreement shall be made by County.

County shall not pay any claims for payment for services submitted more than twelve (12) months after the calendar month in which the services were completed.

**DISALLOWED COSTS:** CONTRACTOR is responsible for any audit exceptions or disallowed costs incurred by its own organization or that of its subcontractors.