

EXTENSION AND MODIFICATION OF CONTRACT

PUBLICATION OF THE COLORADO GENERAL ASSEMBLY'S SESSION LAWS AND COLORADO REVISED STATUTES

THIS EXTENSION AND MODIFICATION OF CONTRACT ("EXTENSION OF CONTRACT"), made this 23rd day of JUNE, 2017, by and between the General Assembly of the State of Colorado, acting through its Committee on Legal Services, hereinafter referred to as the State or the Committee, and Matthew Bender & Company, Inc., a New York corporation, hereinafter referred to as LexisNexis or the contractor:

WITNESSETH

WHEREAS, the Committee and LexisNexis are parties to a contract entitled Contract for Publication of the Colorado General Assembly's Session Laws and Colorado Revised Statutes, effective January 1, 2013, with attachments, hereinafter referred to as the "2013 Contract"; and

WHEREAS, the parties wish to exercise the provisions of section V.A. of the 2013 Contract to extend the term of the 2013 Contract for an additional period; and

WHEREAS, such an extension conforms to section 2-5-105 (3)(b)(I), Colorado Revised Statutes, which authorizes one extension of a publications contract for an additional period not to exceed five years if such an extension is found to be in the public interest; and

WHEREAS, the Committee has found that such an extension is in the public interest and therefore, upon motion duly made and voted thereon at its meeting held September 29, 2016, authorized an extension of the 2013 Contract for a period of five years; and

WHEREAS, the parties wish to assure their mutual understanding of the terms and conditions upon which such extension is made by entering into this EXTENSION OF CONTRACT to the 2013 Contract; and

WHEREAS, the parties further wish to modify the terms of the 2013 Contract in certain respects as set forth more fully in Sections II and III of the EXTENSION OF

CONTRACT as a result of changes in circumstances that have arisen, or concerning which the parties have become aware, since the effective date of the 2013 Contract.

NOW, THEREFORE, In consideration of the following premises and mutual promises, the parties agree as follows:

I. EXTENSION OF TERM. That the term of the 2013 Contract is extended on a one-time basis for an additional period of five years from January 1, 2018, through December 31, 2022. The 2013 Contract will expire on December 31, 2022, rather than on December 31, 2017. section V.A. of the 2013 Contract is modified to read as follows:

"A. **Initial Term - Extension of Term**. Except as provided in section V.B., the initial term of the Contract is five years, from January 1, 2013, to December 31, 2017. The Committee, having found it to be in the public interest, extends this Contract for an additional term of five years beyond the initial term, from January 1, 2018, to December 31, 2022."

II. PAPER SPECIFICATION AND CHANGES IN PAPER. That the paper specification set forth in section VII.E. of the 2013 Contract, which references an obsolete standard from the American National Standards Institute (ANSI), is modified to comply with the standards set forth in section 2-5-105.5, Colorado Revised Statutes, and to meet the applicable industry standards for acidity and alkaline levels in paper used for publication and documents in library materials; and that section VII.E. of the 2013 Contract is further modified to require LexisNexis to notify the Committee or its designee before making any change in the paper it uses for the publication of the Colorado Revised Statutes, Session Laws, or Red Book. Accordingly, section VII.E. of the 2013 Contract is modified to read as follows:

"E. **Paper Specification - Changes in Paper**.

1. To publish the Statutes, Session Laws, and Red Book, LexisNexis shall use paper that meets the paper standards specified in section 2-5-105.5, Colorado Revised Statutes.

2. LexisNexis shall notify the Committee or its designee before changing the paper it uses to publish the Statutes, Session Laws, or Red Book."

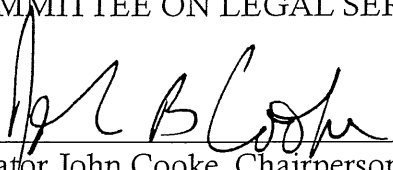
III. COPYRIGHT. That section 2-5-115, Colorado Revised Statutes, permits the Committee or its designee to register a copyright for and in behalf of the state of Colorado in any and all original publications and editorial work ancillary to the Colorado Revised Statutes that are prepared by the General Assembly or its staff. In 2016, the Committee suspended its past historical practice of registering a copyright with the federal copyright office pursuant to this section; however, the statutory authority remains. The 2013 Contract indicates that the publications are copyrighted. In order to correctly reflect the Committee's current practice, section X.A. of the 2013 Contract is modified to read as follows:

"A. **Property of the State.** The Statutes and the editorial publications ancillary to the statutes, Session Laws, and Red Book, as published, are the sole property of the State as owner and publisher thereof and may be copyrighted for and in behalf of the State to the extent that they are not a part of the public domain. Pursuant to section 2-5-115, C.R.S., the Committee maintains the authority to copyright for and in behalf of the State the original and editorial work ancillary to the Statutes, including source notes, editors notes, cross references, annotations, indices, and tables."

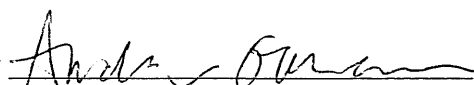
IV. TERMS AND CONDITIONS. The provisions of the 2013 Contract, as amended herein, continue in full force and effect through December 31, 2022, and are binding on the parties.

IN WITNESS THEREOF, the parties have executed this Extension of Contract on the day first above written.

STATE OF COLORADO
COMMITTEE ON LEGAL SERVICES

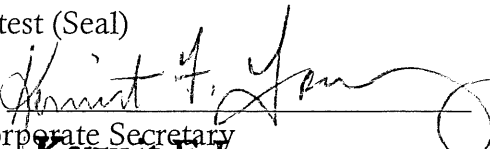
By 
Senator John Cooke, Chairperson
Committee on Legal Services
Colorado General Assembly

MATTHEW BENDER & COMPANY,
INC., A NEW YORK CORPORATION

By 
Anders Ganten, Senior Director

14-0499170
Federal ID Number

Attest (Seal)

By 
Corporate Secretary

Kermit F. Lowery
Assistant Secretary

CONTRACTS MUST BE APPROVED BY THE STATE CONTROLLER

Section 2-2-320 (2)(a), Colorado Revised Statutes, requires that the State Controller approve all legislative contracts subject to Section 29 of Article V of the Constitution of the State of Colorado. This contract is not valid until the State Controller, or such assistant as he may delegate, has signed it. The contractor is not authorized to begin performance until the contract is signed and dated below. If performance begins prior to the date below, the State of Colorado may not be obligated to pay for the goods and/or services provided.

STATE CONTROLLER
Robert Jaros, CPA, MBA, JD

By Robert Jaros

6-23-17
Date

APPROVED AS TO LEGALITY
Cynthia H. Coffman
Colorado Attorney General

By Linda C. Shubow
Linda C. Shubow
Senior Assistant Attorney General