GEORGE MASON UNIVERSITY

Purchasing Department
4400 University Drive, Mailstop 3C5
Fairfax, VA 22030
Phone: 703.993.2580 | Fax: 703.993.2589
http://fiscal.gmu.edu/purchasing/

CONTRACT FORM ADDENDUM TO CONTRACTOR'S FORM

AGENCY NAME: **George Mason University**

CONTRACTOR NAME: **LexisNexis, a division of RELX Inc.**

DATE: April 18, 2018

George Mason University, an educational institution and agency of the Commonwealth of Virginia, and the Contractor are this day entering into a contract and, for their mutual convenience the parties are using the form agreement ("Contractor's Form") provided by the Contractor,. This Addendum, duly executed by the parties, is attached to and hereby made a part of the contract.

Notwithstanding anything in the Contractor's Form to which this Addendum is attached, the payments will be made by George Mason University for all goods, services and other deliverables under this contract. Payments will be made, only upon receipt of a proper invoice, detailing the goods/services provided and submitted to George Mason University, Accounts Payable Department, Fairfax, VA 22030 – MSN 3C1. The total cumulative liability of George Mason University, its officers, employees and agents in connection with this contract or in connection with any goods, services, actions or omissions relating to the contract, shall not under any circumstance exceed payment of the purchase price plus payment for an additional amount equal to such maximum purchase price. In its performance under this contract, the Contractor acts and will act as an independent contractor, and not as an agent or employee of George Mason University.

The Contractor's Form is, with the exceptions noted herein, acceptable to George Mason University. Nonetheless, certain standard clauses that appear in the Contractor's Form cannot be accepted by George Mason University. In consideration of the convenience of using the Contractor's Form, without the necessity of specifically negotiating a separate contract document, the parties hereto specifically agree that, notwithstanding any provisions appearing in the attached Contractor's Form, none of the following shall have any effect or be enforceable against George Mason University:

1. Requiring George Mason University to maintain any type of insurance either for George Mason University's benefit or for the Contractor's benefit;

2. Renewing or extending the contract beyond the initial term or automatically continuing the contract period from term to term;

3. Requiring or stating that the terms of the attached Contractor's Form shall prevail over the terms of this Addendum in the event of conflict;

4. Requiring George Mason University to indemnify or to hold harmless the Contractor for any act or omission;

5. Imposing interest charges contrary to that specified by the *Governing Rules §42*, Prompt Payment of bills by the Institution;

6. Requiring the application of the law of any state other than Virginia in interpreting or enforcing the contract or requiring or permitting that any dispute under the contract be resolved in the courts of any state other than Virginia;

7. Requiring any total or partial compensation or payment for lost profit or liquidated damages by George Mason University.if the contract is terminated before its ordinary period;

8. Requiring that the contract be "accepted" or endorsed by the home office or by any other officer subsequent to execution by an official of George Mason University before the contract is considered in effect;

9. Delaying the acceptance of this contract or its effective date beyond the date of execution;

10. Limiting or adding to the time period within which claims can be made or actions can be brought;

11. **[Intentionally Deleted]**;

12. Permitting unilateral modification of this contract by the Contractor;

13. Binding George Mason University to any arbitration or to the decision of any arbitration board, commission, panel or other entity;

14. Obligating George Mason University to pay costs of collection or attorney's fees;

15. Granting the Contractor a security interest in property of George Mason University;

16. Imposing rights of confidentiality. (George Mason University is required by law to act within the requirements of the Virginia Freedom of Information Act.);

17. Bestowing any right or incurring any obligation that is beyond the duly granted authority of the undersigned agency representative to bestow or incur on behalf of George Mason University;

18. Requiring that Mason waive its right to a jury trial.

19. Granting Contractor or an agent of Contractor the right to examine, directly or indirectly, George Mason University's computers, networks, books, records, or accounts whether stored electronically or on paper. (Any waiver of this provision shall require a written instrument signed by a duly authorized officer of the Purchasing Department.)

In addition, the following terms and conditions shall apply to all Contractors contracting with George Mason University:

20. Computer and network security is of paramount concern at George Mason University. The university wants to ensure that computer/network hardware and software does not compromise the security of IT environment. By accepting this Addendum, you agree to use commercially reasonable measures in connection with any offering your company makes to avoid any known threat to the security of the IT environment at George Mason University.

21. CONFIDENTIALITY OF PERSONALLY IDENTIFIABLE INFORMATION: The Contractor shall ensure that personally identifiable information which may include but is not limited to personal identifiers such as name, address, phone, date of birth, Social Security number, student or personal identification number, non-directory information and any other information protected by state or federal privacy laws will be collected and held confidential, during and following the term of this contract, and will not be divulged without the individual's and Mason's written consent and only in accordance with federal law or the Code of Virginia. The Contractor shall utilize, access, or store personally identifiable information as part of the performance of this contract in a secure environment and immediately notify Mason of any breach or suspected breach in the security of such information. Contractor shall allow Mason to both participate in the investigation of incidents and exercise control over decisions regarding external reporting. If Contractor provides goods and services that require the exchange of personal identifiable information the following Data Privacy Principles shall apply and be incorporated into this contract: https://www.lexisnexis.com/en-us/privacy/data-privacy-principles.page

22. Contractor will make reasonable efforts to continue to improve compliance with Section 508 of the U.S. Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794(d)). A copy of Contractor's VOLUNTARY PRODUCT ACCESSIBILITY TEMPLATE ("VPAT") is provided herewith.

23. **[Intentionally Deleted]**

This agency contract consisting of this Addendum and the attached Contractor's Form constitute the entire agreement between the parties and may not be waived or modified except by written agreement between the parties.

This contract has been reviewed by staff of the agency. Its substantive terms are appropriate to the needs of the agency and sufficient funds have been allocated for its performance by the agency. This contract is subject to appropriations by the Virginia General Assembly.

IN WITNESS WHEREOF, the parties have caused this contract to be duly executed, intending thereby to be legally bound.

George Mason University ~~School of Law~~   **LexisNexis, a division of RELX Inc.**

Katherine Sirotin
(Printed Name)

Michael Newlin
(Printed Name)

Katherine Sirotin
(Signature)

(Signature)

Asst. Director, Purchasing
(Title)

Dir Seg MgT
(Title)

05/22/18
(Date)

5-23-2018
(Date)

APPENDIX A

Voluntary Product Evaluation Template (VPAT)

Last Updated: 08/22/2016
Name of Product: Lexis Advance
Product Version: R6.2
Product Version Release Date: August, 2016
Tested Product Using: JAWS, Voiceover WAT, WAVE, Sort site, NVDA, Keyboard.

Summary Table		
Criteria	Supporting Features	Remarks and explanations
Section 1194.21 Software Applications and Operating Systems	Supports: c, d, e, i ,l Supports with exceptions: a. Not applicable: b, f, g, h, j, k.	Partial Support
Section 1194.22 Web-based internet information and applications	Supports: a ,c ,d,e, f, g, h, i, k, l, m, o. Supports with exceptions: n. Not applicable: b, j, p.	Partial Support
Section 1194.31 Functional Performance Criteria	Supports: b, e, f. Supports with exceptions: a. Not applicable: c, d.	Partial Support
Section 1194.41 Information, documentation, and support.	Supports: a, b, c.	Partial Support

Section 1194.21 Software Applications and Operating Systems

Criteria	Supporting Features	Remarks and explanations
(a) When software is designed to run on a system that has a keyboard, product functions shall be executable from a keyboard where the function itself or the result of performing a function can be discerned textually.	Supports with exceptions	Almost all the functionalities are operable using keyboard. Reason for exceptions: No Keyboard access for : • Select an action drpdown persists even after navigating in component API • Choose content type pop up in results list • Help is not activated using keyboard in prison kiosk • No keyboard access for terms&conditions,current alert,cancel button under alerts in results
(b) Applications shall not disrupt or disable activated features of other products that are identified as accessibility features, where those features are developed and documented according to industry standards. Applications also shall not disrupt or disable activated features of any operating system that are identified as accessibility features where the application programming interface for those accessibility features has been documented by the manufacturer of the operating system and is available to the product developer.	Not Applicable	Lexis Advance does not have features that would interfere with standard API features of an OS.
(c) A well-defined on-screen indication of the current focus shall be provided that moves among interactive interface elements as the input focus changes. The focus shall be programmatically exposed so that Assistive Technology can track focus and focus changes.	Supports	LA uses CSS styling to indicate widgets (e.g., links, buttons, check boxes, radio buttons etc) that are focused on when using a mouse or keyboard.
(d) Sufficient information about a user interface element including the identity, operation and state of the element shall be available to Assistive Technology. When an image represents a program element, the information conveyed by the image must also be available in text.	Supports	LA uses standard HTML form elements such as checkboxes and radio buttons which offer state information to assistive technology such as JAWS.
(e) When bitmap images are used to identify controls, status indicators, or other programmatic elements, the meaning assigned to those images shall be consistent throughout an application's performance.	Supports	LA uses minimal images for the user interface. Such images are consistently titled using the alt attribute.
(f) Textual information shall be provided through operating system functions for displaying text. The minimum information that shall be made available is text content, text input caret location, and text attributes.	Not Applicable	Lexis Advance does not have features that would interfere with operating system functions for displaying text.

6

(g) Applications shall not override user selected contrast and color selections and other individual display attributes.	Not Applicable	LA will not interfere with any contrast settings, magnification settings, or keyboard sensitivity settings.
(h) When animation is displayed, the information shall be displayable in at least one non-animated presentation mode at the option of the user.	Not Applicable	Lexis Advance does not any animated presentation
(i) Color coding shall not be used as the only means of conveying information, indicating an action, prompting a response, or distinguishing a visual element.	Supports	Most text links are identified by an underlined state when users tab or hover over the link. Search Form tabs that are selected include an extra cue for screen reader users "Selected."
(j) When a product permits a user to adjust color and contrast settings, a variety of color selections capable of producing a range of contrast levels shall be provided.	Not applicable	LA does not allow the user to change the contrast or color settings.
(k) Software shall not use flashing or blinking text, objects, or other elements having a flash or blink frequency greater than 2 Hz and lower than 55 Hz.	Not applicable	LA does not have any flashing or blinking texts or objects.
(l) When electronic forms are used, the form shall allow people using Assistive Technology to access the information, field elements, and functionality required for completion and submission of the form, including all directions and cues.	Supports	Each form element uses a label tag to associate the proper text with its form label.

Section 1194.22 Web-based Internet information and applications		
Criteria	Supporting Features	Remarks and explanations
(a) A text equivalent for every non-text element shall be provided (e.g., via 'alt", "longdesc" or in element content).	Supports	Each image button/image link has a meaningful text equivalent.
(b) Equivalent alternatives for any multimedia presentation shall be synchronized with the presentation.	Not Applicable	Lexis Advance does not any animated presentation
c) Web pages shall be designed so that all information conveyed with color is also available without color, for example from context or markup.	Supports	Text links are identified by an underlined state when users tab or hover over the link. Search Form tabs that are selected include an extra text cue for screen reader users: "Selected."
(d) Documents shall be organized so they are readable without requiring an associated style sheet.	Supports	LA is usable with style sheets disabled.
(e) Redundant text links shall be provided for each active region of a server-side image map.	Supports	Server-side image maps if any available
(f) Client-side image maps shall be provided instead of server-side image maps except where the regions cannot	Supports	Client-side image maps if any available.

be defined with an available geometric shape.		
(g) Row and column headers shall be identified for data tables.	Supports	Table headers are present for row and column headers.
(h) Markup shall be used to associate data cells and header cells for data tables that have two or more logical levels of row or column headers.	Supports	Table headers are present for row and column headers.
(i) Frames shall be titled with text that facilitates frame identification and navigation	Supports	Frames if available.
(j) Pages shall be designed to avoid causing the screen to flicker with a frequency greater than 2 Hz and lower than 55 Hz.	Not applicable	LA does not use any images that flash, blink, or flicker. Ads that have revolving text may be closed by users.
(k) A text-only page, with equivalent information or functionality, shall be provided to make a web site comply with the provisions of this part, when compliance cannot be accomplished in any other way. The content of the text-only page shall be updated whenever the primary page changes.	Supports	LA does not have any primary functionality that requires a separate text-only page.
(l) When pages utilize scripting languages to display content, or to create interface elements, the information provided by the script shall be identified with functional text that can be read by Assistive Technology.	Supports	Almost all the control elements are accessible by mouse as well as keyboard and compatible with all assistive technologies.
(m) When a web page requires that an applet, plug-in or other application be present on the client system to interpret page content, the page must provide a link to a plug-in or applet that complies with Û1194.21(a) through (l).	Supports	The main application does not require any plugins or applications on the client system in order to use the core features. If the client does not have Adobe PDF Reader, many Windows operating systems will provide a link to Adobe's site to download the Adobe Reader. The help system also provides a link to Get Adobe Reader.
(n) When electronic forms are designed to be completed on-line, the form shall allow people using Assistive Technology to access the information, field elements, and functionality required for completion and submission of the form, including all directions and cues.	Supports with exceptions	Each form element uses a label tag to associate the proper text with its form label. Reason for exceptions: Incorrect JAWS Voice for , • Close button of free trial pop up, Label, help in prison kiosk, Home and play button, Sort by drop down items. • No JAWS voice for"tell us what you think"undr LPA support pod. • Open in new window is not read by JAWS under LPA pods. • Date format error msg is not read by JAWS under search everything. • Incorrect JAWS voice for the Label in prison kiosk

		• Incorrect JAWS voice for "help" in prison kiosk • Incorrect JAWS voice for "Home and play" button in prison kiosk • Incorrect JAWS voice for Sort by drop down items in results list • Open in new window info is not read by JAWS in LPA
(o) A method shall be provided that permits users to skip repetitive navigation links.	Supports	LA provides a Skip to Main Content link at the top of each web page.
(p) When a timed response is required, the user shall be alerted and given sufficient time to indicate more time is required.	Not applicable	Lexis Advance Application has no feature in it to support this time based response.

Section 1194.31 Functional Performance Criteria

Criteria	Supporting Features	Remarks and explanations
(a) At least one mode of operation and information retrieval that does not require user vision shall be provided, or support for Assistive Technology used by people who are blind or visually impaired shall be provided.	Supports with exceptions	Almost all the control elements are accessible and operable by keyboard. Reason for exceptions: Incorrect Focus order for : • Incorrect focus order for create package pop up in component API • Incorrect focus order for select your segment pop up in component API • Focus goes to no link region under LPA form index pod. • Incorrect focus order in Package page for publish popup in component API • Incorrect focus order in Prison kiosk landing page • Incorrect focus order in "Printer friendly view" in prison kiosk
(b) At least one mode of operation and information retrieval that does not require visual acuity greater than 20/70 shall be provided in audio and enlarged print output working together or independently, or support for Assistive Technology used by people who are visually impaired shall be provided.	Supports	LA supports the use of browser screen magnifiers.
(c) At least one mode of operation and information retrieval that does not require user hearing shall be	Not applicable	LA does not rely on sound alone to access any of its core functionality.

provided, or support for Assistive Technology used by people who are deaf or hard of hearing shall be provided		
(d) Where audio information is important for the use of a product, at least one mode of operation and information retrieval shall be provided in an enhanced auditory fashion, or support for assistive hearing devices shall be provided.	Not applicable	There are no circumstances where audio information is important for use of the product.
(e) At least one mode of operation and information retrieval that does not require user speech shall be provided, or support for Assistive Technology used by people with disabilities shall be provided.	Supports	LA does not require any speech input for operation.
(f) At least one mode of operation and information retrieval that does not require fine motor control or simultaneous actions and that is operable with limited reach and strength shall be provided.	Supports	Almost all the control elements are operable using keyboard and there is a proper navigation order while tabbing through the webpage.

Section 1194.41 Information, documentation, and support		
Criteria	Supporting Features	Remarks and explanations
(a) Product support documentation provided to end-users shall be made available in alternate formats upon request, at no additional charge.	Supports	Product support documentations are available in accessible formats.
(b) End-users shall have access to a description of the accessibility and compatibility features of products in alternate formats or alternate methods upon request, at no additional charge.	Supports	Lexis Advance covers this compatibility feature wherever applicable
(c) Support services for products shall accommodate the communication needs of end-users with disabilities.	Supports	All LN customer support representatives are trained in accommodating the communications needs of persons with disabilities.

4814-3209-3542, v. 1