

Ordinance Recodification Cost Proposal San Juan County, Utah



**American Legal Publishing Corporation
525 Vine Street, Ste 310 Cincinnati, Ohio 45202
www.amlegal.com**

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AMERICAN LEGAL
Publishing Corporation

August 11, 2020

Mr. Mack McDonald
San Juan County Administrator
P.O. Box 9
Monticello, UT 84535

Dear Mr. McDonald:

Thanks so much for giving American Legal Publishing the opportunity to provide San Juan County with a cost proposal for the recodification of your Code of Ordinances. We have been providing codification services across the nation for over 50 years. We produce codes for over 60 municipalities across Utah, including Kane County and the City of Blanding.

Our recodification process includes incorporating all permanent nature ordinances, creating an index and tables as needed, formatting the pages into a new typestyle, including single column print, and printing complete copies of the entire code book. It also includes a legal review and written report by one of our staff attorneys. The review will uncover inconsistencies between sections in the code and inconsistencies with the code and state and federal statutes. A sample of a legal review report is provided for your review.

American Legal Publishing is a full service codification company that is perfectly aligned to provide codification services to San Juan County. As the publisher for cities and counties nationwide, we have a thorough understanding of the work requirements for counties such as San Juan. We will be able to meet all your codification, supplementation, and electronic publishing needs and do it in a timely fashion and very cost effectively.

American Legal Publishing works with nearly 3,500 clients across the United States. Some of our clients across the country include Salt Lake City, Los Angeles, Chicago, Dallas, Boston, Philadelphia, New York and Honolulu. We provide codification services to over 60 cities and counties across Utah.

Should you have any questions about the proposal, please do not hesitate to call me.

Best Regards,

A handwritten signature in black ink that reads "Colleen T. Engle". The signature is written in a cursive style.

Colleen T. Engle
Codification Consultant
cengle@amlegal.com
714.348.952

2. BUSINESS PROFILE

American Legal Publishing 525 Vine Street, Ste. 310 Cincinnati, OH 45202 PH: 800-445-5588 Fax: 513-763-3562 www.amlegal.com	Contract Manager: Ray Bollhauer, Esquire President Email: rbollhauer@amlegal.com
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American Legal Publishing began as the codification division of the Anderson Publishing Company of Cincinnati in 1934. We became a separate corporation in 1979. In 2006, American Legal Publishing became an independent employee owned corporation. We are extremely proud of our employee-owned status, unique in our industry. Our employees are self-motivated, knowing that the quality of each project enhances their future, as well as that of the government client.

- American Legal is the choice of the top cities in the country. We currently serve nearly 3,500 local government clients across the country, including more than 50 cities and counties across Utah. Our ability to service large clients (**Salt Lake City, New York, Los Angeles, Chicago, Philadelphia, Cleveland, etc.**), and yet provide excellent service and products to the smaller Villages, Towns, Cities and Counties across the nation, separates us from many other Codifiers.
- We are the codification consultants to the International Municipal Lawyers Association and have produced publications for numerous state municipal leagues.
- American Legal employs a highly skilled and professional staff, including 16 staff members with law degrees - the largest in the industry. The legal reviews that these attorneys are able to execute is what allows us to provide a high-quality product. Our editorial support staff consists of experienced editors skilled in the multiple disciplines required in providing codification services: editing, computer operation, proofreading and indexing. Our typical editor has a college degree in English or Law.
- American Legal offers a full-range of codification services, including:
 - Editing and updating municipal codes
 - Legal research/review and analysis of codes
 - Subscriber sales of codes in print and on CD
 - CD-ROM publishing
 - Hosting of municipal codes on the Internet
 - Roberts Rules of Order 11th Ed. on CD in a fully indexed search program
 - Meeting Minutes imaging and hosting online in a searchable format

- American Legal works quickly to put new codes online. We have the flexibility to update online and printed codes on any schedule our clients require, including as new ordinances are adopted.
- The hosted municipal codes located on our webserver are fully searchable and are easy for the general public to use, but also has advance features to assist legal professionals and County staff.
- The hosted municipal codes located on our webserver are available for use on **smartphones** and **tablets** such as **iPads**.
- American Legal is exclusively an ordinance codification company. It is our sole focus. We are dedicated to continual improvement of our expertise, procedures, product and staffing to ensure the premium level of service that has earned us the respect and business of America's premier cities and Municipal Associations. We are not distracted by other ventures. We do one thing, and we make every effort to do it as well as it can be done.

Municipal and County Leagues Affiliations

American Legal's commitment to quality has led to affiliations with Municipal and County leagues across the country. Municipal Associations across the nation seek our expertise in municipal law and government, our advanced technology programs, and our unsurpassed customer service. We are extremely proud, that by allowing us to serve their members in their name, they show the greatest confidence in our services, reputation and integrity. We work hard every day to continue to earn that respect.

We serve as the Information Management Consultant to the following Leagues:

League of Wisconsin Municipalities
Ohio Municipal League

We serve as the Codification Consultant for the following:

League of Arizona Cities & Towns	Association of Arizona Counties
League of Oregon Cities	North Carolina League of Municipalities
League of Minnesota Cities	League of Nebraska Municipalities
Indiana Association of Cities & Towns	League of Kansas Municipalities

We work with the following Leagues to publish model or basic codes:

League of Nebraska Municipalities
South Dakota Municipal League
Virginia Municipal League
League of Minnesota Cities

We have produced publications for the following Leagues:

League of Wisconsin Municipalities
League of California Cities
Virginia Municipal League

3. EXPERIENCE/QUALIFICATIONS

- (1) **Years in Business:** American Legal Publishing has been in the ordinance codification business since 1934 as part of the Anderson Publishing Company. We became a separate corporation in 1979. We became an independent employee-owned corporation in 2006.
- (2) **Size and Experience:** American Legal is the choice of the top cities in the country. We currently serve nearly 3,500 local government clients across the country. Our clients include the Cities of Salt Lake City, New York, Los Angeles, Chicago, Philadelphia, Cleveland, Boston, Honolulu, San Francisco, and more than 60 clients across Utah. We are the codification consultants to the International Municipal Lawyers Association and numerous state municipal leagues.
- (3) **Project Attorneys:** American Legal employs 16 attorneys, including the company CEO, President, Executive Vice President (Editor in Chief), and the Vice President of Major Client Services.

STEPHEN G. WOLF - CEO

Qualifications:

- Oversees American Legal's codification services with large accounts (such as Los Angeles, Philadelphia and Chicago) and state municipal leagues
- J.D., University of Cincinnati College of Law
- B.B.A., Management, University of Cincinnati
- Former City Law Director of an Ohio city, former Mayor and council person; with 35 years' experience as an elected city official
- Member, International Municipal Lawyers Association (IMLA)
- 37 years with American Legal

RAY G. BOLLHAUER - PRESIDENT

Qualifications:

- J.D., University of Cincinnati College of Law
- B.A., Economics, University of Cincinnati
- Past President and Trustee of local community Council
- Twenty years with American Legal
- Federal Bar member
- Presenter throughout the country regarding codification (Institute for Local Government Drafting Seminar at Tulane Law School; Milwaukee Bar Association, Ohio Municipal Clerks Association; Kent State Clerks Certification Program; League of Wisconsin Municipal Attorneys Association; North Carolina City and County Clerks Association at UNC; Arkansas County Clerks Association; Southwest Ohio Clerks Association; Ohio Municipal League; International Municipal Lawyers Association (New Orleans and Portland, OR); Queen City Chapter of the National Parliamentarians Association; and the International Institute of Municipal Clerks Association conferences)

CYNTHIA POWELEIT - EXECUTIVE VICE PRESIDENT, EDITING

- Qualifications:*
- Editor-in-Chief, oversees all aspects of code editing
 - J.D., Salmon P. Chase College of Law, Northern Kentucky University
 - B.A., English, Denison University.
 - Twenty-three years with American Legal Publishing.

Role: Oversees editing of new code and legal review

AMY OAKS - SUPPLEMENT EDITING DIRECTOR

- Qualifications:*
- Experience in editing and overseeing production of thousands of supplements
 - B.A., English, Northern Kentucky University
 - Fourteen years with American Legal

Role: Oversee supplement editing

SARAH CRABTREE BAUER – DIRECTOR OF ELECTRONIC PUBLISHING

- Qualifications:*
- Manages American Legal’s CD-ROM and Internet publishing Department
 - Project manager for high level clients
 - B.A., English, Northern Kentucky University
 - M.A., English, University of Cincinnati
 - Eleven years with American Legal

Role: Responsible for production of Code on CD and online; primary technical contact for the County

Project Support Staff: American Legal employs 36 staff members. Our editorial support staff consists of experienced editors skilled in the multiple disciplines required in providing codification services: editing, computer operation, proofreading and indexing. Our typical editor has a college degree in English or Law.

4. DESCRIPTION OF SERVICES:

American Legal Publishing will:

- (1) Examine all ordinances or resolutions provided by the county and determine which materials are to be codified.
- (2) *Legal Review.* Utilize its staff of attorneys to review all materials to be codified and prepare a written report for the municipal attorney.
 - (a) The report may include notice of and suggestions for resolving the following:
 - Apparent conflicts with referenced state and federal statutes and administrative regulations;
 - Repealed, renumbered, or obsolete state and federal statutory citations;
 - Apparent conflicts with prominent federal case law; and
 - Internal discrepancies such as duplications, ambiguities, and obsolete terminology.
 - (b) Suggest new provisions which the county should consider including in the code, and suggest deleting old provisions which are no longer necessary.
 - (c) At the option of the county, hold a conference with municipal representatives to review the report. The county will not be billed for time of the American Legal staff attorney if it chooses this option, but will be billed for travel expenses.
- (3) Classify all ordinances and resolutions which are of a general and permanent nature into titles, chapters, and sections, according to subject matter.
- (4) Make changes to effect uniformity of style and to correct typographical and spelling errors, grammar, and usage. Substantive changes shall not be made in the wording of the ordinances. Suggestions for additions or changes in the ordinances will be submitted to the Municipal Attorney.
- (5) Prepare:
 - (a) Title, chapter, and section headings.
 - (b) A table of contents and sectional analysis for each chapter.
 - (c) A legislative history for each section, citing the ordinance number and date of passage, as indicated on copies of ordinances supplied to the Publisher.
 - (d) Statutory cross-references to sections of the state statutes and to other pertinent parts of the Code where applicable. These references shall appear at the end of the section to which they apply.

- (e) Tables of Special Ordinances listing chronologically those ordinances in certain subject areas that the county finds to be pertinent.
- (f) Parallel Reference Tables showing:
 - 1. The disposition of ordinances (in numeric sequence) included in the codification (Ordinance to Code).
 - 2. A listing of code sections based on state statutes (Statute to Code).
 - 3. A listing of prior code sections incorporated into the new code if applicable (Old Code to New Code).
- (g) An index (which will be created after the first draft of the Code is submitted).
- (6) Provide the county with model or sample ordinances when available and upon request, at no additional charge.
- (7) Deliver to the county, within 6 months from receipt of the materials deemed necessary by the Publisher to begin the codification (prior code, ordinances and new code questionnaire), one copy of a draft of the Code for the County's examination.
- (8) If necessary, hold a conference to make final corrections, additions, and deletions to the Code. The county will be billed for the travel expenses of the American Legal staff attorney. The county may present changes to pages of the draft at the conference. After the final conference, any further changes, additions, or deletions shall be made in the future supplements to the Code. When the draft, and any changes thereto made by the county, is returned to the Publisher, such return of the draft shall be deemed final authorization by the county to publish the Code as returned. If additional conferences are requested by the county which require the travel of a member of the staff of the Publisher, then the county shall be advised what the additional cost, if any, for such conference will be.
- (9) Deliver to the county, within 3 months of receipt of the corrected draft, up to 10 printed copies of the Code meeting the following specifications:
 - (a) Type to be single column, at the request of the county
 - (b) Page size to be 8½" x 11", 12pt
 - (c) Printed on high quality paper
 - (d) All copies to be in hard-covered, 3-ring, loose leaf binders. All binders shall have the county's name stamped in gold and shall contain divider tabs.
- (10) Provide a sample adopting ordinance to the county.

Web Hosting:

Post the Code online in a fully indexed searchable database. American Legal Publishing's technical team will convert the electronic version of the code documents into a fully indexed and searchable format. All of our codes contain an electronic table of contents and extensive hypertext linking (for the table of contents, cross-references, chapter analyses and title analyses). The fully indexed code will allow users to perform fast searches of the entire code at once. Typically PDF posted documents only allow chapter/title searches one by one and do not allow for synonym searches, which is a critical element to our searchable codes.

Users can search for words, phrases, section numbers – anything they want. Our codes also offer an electronic table of contents that allows users to navigate and browse the code, as well as a hypertext linking feature that allows users to connect or “jump to” related pieces of information (such as cross-references).

To assist County staff and private citizens in reaping the full benefits of the extensive search capabilities, American Legal has developed a convenient, online tutorial providing clear, simple instructions on making full use of our online database. This Web Demonstration video is conveniently located on our website at <http://www.amlegal.com/codification-services/electronic-publishing> Scroll to the bottom of the page and click PLAY.

American Legal's website with over 1000 codes for municipalities nationwide, allows users the ability to print, save and email material (such as one section, one chapter or an entire code) from our website with just a few clicks of the mouse. Users are also able to set links to specific chapters or sections of the code for faster, repeat lookups.

Future Supplements:

Online supplements. American Legal's editors can update the online Code as often as the County desires – including weekly or whenever new legislation is adopted and provided to American Legal. The online code will state on the front page what the most recent legislation is that has been included in the Code. Each section amended will include a history with the legislation number and adoption date.

Paper supplements. The printed version of the Code in loose-leaf format can be updated weekly as well, or on any other schedule chosen by the County, such as monthly, quarterly, every six months or annually. Supplements will include Instruction Pages with information on which pages in the Code are to be replaced.

New Legislation Online:

American Legal can post new ordinances on the internet with a link to the full text of the ordinance until they are incorporated into the Code. Ordinances can be linked in an Ordinance List or at the code sections they amend. Once the online code is updated, the list can be updated to remove ordinances from the list that have been incorporated into the code, or the ordinances can remain permanently.

Model Ordinance Service:

You can simultaneously search nearly 1500 municipal and county codes on our website for model language **at no cost**. You may search one code at a time, all codes in a state, or all online codes at once. And, it's all for free! Most codifiers do not provide this service to their clients.

Please note, that many other publishers permit a free search of only one code at a time, requiring a paid subscription to search multiple cities simultaneously. While they may offer to waive the subscription fee for County staff, your citizens (including law firms, developers, realtors, etc.) will be restricted to single code searches or forced to pay a subscription fee.

Codes on Media:

American Legal will provide the County's Code on a CD or USB in a fully indexed and searchable format, MS Word or PDF. This will allow the employees responsible for maintaining the code the option of having their own version where they may create separate files for annotating with popup notes and highlighting.

Subscriber Services:

American Legal can provide the county and its citizens with a subscriber service for the purpose of providing copies of the code to requesting entities. Subscriber services include the sale of codes in print and on CD.

Our Web hosting service offers:

An on-line **Internet query template** that allows our clients to search ALL the Codes in our Internet collection.

An **ADA** alternative view is integrated

A **Quick Search** feature, as well as an **Advanced Search** feature (with **Boolean** searching, exact phrase searching and other features) in a single screen so that users can choose the type of search they want to perform with less clicking and moving around.

A **specially-designed interface** that allows you to see the text of your document, the table of contents, the query dialog box, and a ranked hit list at the same time. Our specially-designed interface allows you to quickly and easily access the portion of the document you need to utilize (whether it's the table of contents, the search feature or the document itself). *We can also customize the look and feel of the site in case you want to develop a unique appearance for your document.*

Easy-to-use navigation options that allow you to move from search hit to search hit, and from document to document (both forward and backward) **without having to return to a results list to move to the next search find.** This feature is available in both the desktop and mobile view versions.

The ability to **print individual chapters or sections** of the document and the ability to **download** the document into numerous formats such as RTF (Word), PDF, HTML, EPUB and MOBI.

American Legal can apply **Google Translate** features to the online Code.

Internal **hypertext links** to other sections of the code that are cross-referenced

5. INTERNET FEATURES

The American Legal Publishing Difference

Online Features:	Many features are included in current annual hosting fee at no additional cost	Price:
PC, Tablet, Smart Phone versions	Frames version for PC; ADA Compliant View and Mobile View available for mobile devices.	Included
Multiple Search formats	1. Quick Search Box 2. Advanced Search Template 3. Boolean Search Field	Included
Automatic Stem Searches (finds plurals of words)	<i>Dog finds dog and dogs Fence finds fence, fences, fencing and fenced</i>	Included
Synonym Searches	<i>Grass finds grass, turf, lawn Garbage finds garbage, litter, trash, rubbish</i>	Included
Continuous Next Hit feature	You can go through all hits without having to go back to the Results List for each chapter	Included
Search Results List	Advance searches lists results in order of relevancy; Quick searches lists results in order as found in the document	Included
Table of Contents expands and links to sections	View and navigate the TOC while also viewing code text and option to view TOC, Document and Search Results at same time	Included
Download text in multiple file choices from the web	Can download into RTF (for MS Word), HTML, TXT, PDF, MOBI and EPUB (can also use copy/paste feature)	Included
Email text in multiple file choices from the web	Can email text RTF (for MS Word), HTML and TXT (actually attaches text, not just a link to the code)	Included
Cross-references hyperlinked	Cross-references to other sections, including Penalty references are hyperlinked	Included
Color Graphics	Yes - if provided in color by the County	Included
Static Links to specific sections can be set	Ability to links to titles, chapter or individual sections in the code	Included

Scrolling tables - static header	The titles of table columns remain visible as you scroll through tables	Included
Limit searches to specific sections	Use TOC feature to limit search to chapters or sections (or expand search to other municipal codes)	Included
Electronic format	Online document flows uninterrupted; no page breaks or page numbers to interrupt the text	Included
Search over 1000 municipal codes	Free access to all codes we publish online; no need to subscribe to any service	Included
Translation into other languages	Apply Google Translate to the Code	Included
Online help features	Use online help features or contact our technical service reps via email or toll-free phone number	Included
OPTIONAL ONLINE SERVICES:		
Archive of prior versions of code online	Prior versions of the code may be hosted online for research purposes.	
New Ordinance List Service (Advance Legislation Notice)	Ordinances not yet codified listed with link to full text of ordinances(ordinances removed from list once they are codified)	
New Ordinance Notification	Notice posted at beginning of code section with link to ordinance that will amend that section (ordinances removed from code once they are codified)	
Comprehensive Ordinance List	New ordinances added to list of all ordinances codified and remain even after code is updated	
Ordinances History Links within code section histories	As new ordinances are added to the code section history list, links to the original ordinance can be set	
Definition Links	Defined terms in the code can be hyperlinked directly to their definition (See Cary, NC Land Development Ordinance)	
Searchable CD-ROM version provided	Searchable CD version of the code is provided	

6. PRICING

American Legal Publishing proposes to codify the ordinances for San Juan County, UT at the following price:

I. Base Cost* \$8,925.

**The actual page count may vary from the estimate or you might add new ordinances during the codification process. If the page estimate is low, the cost will be higher than the initial base cost..*

Includes

1. Number of Copies of San Juan County's Code (includes binders and divider tabs) 10*
*Up to 10 copies. No reduction in cost if you select less than 10 copies.
2. Legal Analysis
 1. Research Internal Consistency
 2. Research State Law Consistency
 3. Legal and Editorial Research and Report
3. Special Features
 1. Tables of Special Ordinances
 2. Parallel References
 3. Comprehensive Index
 4. Tabular Matter (Tables, Charts, Graphs)
 5. Code on CD-ROM (MS Word compatible)
4. Estimated Number Of Pages
8 ½" x 11" Format
Single column (12 point type) 500 pages
5. Phone and email support with American Legal Publishing Included

II. Variable Cost

1. Per Page Increase Rate (pages over 500 page estimate) \$18.50
8 ½" x 11" Format
Single Column
2. Freight/Shipping TBD
UPS Ground

III. Time to Completion

- | | |
|---|------------|
| Number of Months until Draft | 3-6 months |
| Number of Months until Completed Code (after return of draft) | 1-3 months |

IV. Optional Services that may be ordered:

- | | |
|--|--------------|
| 1. Additional Copies of Code | |
| a. Minimum Number of Copies | No minimum |
| b. Cost per Extra Code with binder | \$125 |
| c. Cost per extra code without binder | \$95 |
| 2. Supplement Services – printed pages | \$18.50/page |
| a. 8 ½" x 11" Format | |
| b. Single-column code | |
| 3. Online Code updates (if code hosted on our website) | \$1.50/page |

V. Code Hosting Options –

- | | |
|--|---------------|
| 1. Code hosted on American Legal Publishing
First year free | \$450./year |
| 2. Code hosted on San Juan County website – American Legal will provide a single searchable PDF file after every supplemental update | \$100./update |
| 3. Code hosted on San Juan County website – American Legal will provide individual searchable PDF files after every supplemental update. | No Charge |

VI. Terms (can be budgeted over two fiscal years)

- i. Forty Percent (40%) due upon acceptance of this agreement.
- ii. Forty Percent (40%) within 30 days of receiving the draft manuscript.
- iii. Balance 30 days after receiving delivery of the completed code.

American Legal Publishing Corporation
525 Vine Street, Ste. 310
Cincinnati, Ohio 45202

San Juan County
P.O. Box 9
Monticello, UT 84535

CODIFICATION AGREEMENT

August 11, 2020

San Juan County, a municipal corporation in the State of Utah (“Municipality”) and American Legal Publishing Corporation, (“Publisher”), an Ohio corporation, agree as follows:

I. THE PUBLISHER SHALL:

- (1) Examine the Municipality's Charter (if any), and prior code of ordinances (if any), and all ordinances or resolutions provided by the Municipality and determine which materials are to be codified.
- (2) Utilize its staff of attorneys to review all materials to be codified and prepare a written report for the municipal attorney.
 - (a) The report may include notice of and suggestions for resolving the following:
 - Apparent conflicts with referenced state and federal statutes and administrative regulations;
 - Repealed, renumbered, or obsolete state and federal statutes and administrative regulations;
 - Apparent conflicts with prominent federal case law; and Internal discrepancies such as duplications, ambiguities, and obsolete terminology.
 - (b) Suggest new provisions which the Municipality should consider including in the new code, and delete old provisions which are no longer necessary or which might be improper or unlawful.
 - (c) The review will not involve re-drafting of entire chapters by the Publisher. However, the Publisher will provide model ordinances to the Municipality upon request if available.
 - (d) At the option of the municipality, hold a manuscript conference with municipal representatives to review the report. The Municipality will not be billed for time of the American Legal staff attorney if it chooses this option, but will be billed for travel expenses.

Note: The review performed by the Publisher should not be considered as a substitute for the competent advice of your Municipal Attorney, especially based on his/her in-depth knowledge of the municipal practices and procedures, and American Legal Publishing is in no way assuming the role of attorney for the municipality. Land Use sections of the code are especially specific to the locality and are thus only subject to cursory review and comparison with the rest of the code.

- (3) Classify all ordinances and resolutions which are of a general and permanent nature into titles, chapters, and sections, according to subject matter.
- (4) Make changes to effect uniformity of style and to correct typographical and spelling errors, grammar, and usage. Substantive changes shall not be made in the wording of the ordinances. Suggestions for additions or changes in the ordinances will be submitted to the Municipal Attorney.
- (5) Prepare:
 - (a) Title, chapter, and section headings.
 - (b) A table of contents and sectional analysis for each chapter.
 - (c) A legislative history for each section, citing the ordinance number and date of passage, as indicated on copies of ordinances supplied to the Publisher.
 - (d) Statutory cross-references to sections of the state statutes and to other pertinent parts of the Code where applicable. These references shall appear at the end of the section to which they apply.
 - (e) Tables of Special Ordinances listing chronologically those ordinances in certain subject areas that the Municipality finds to be pertinent.
 - (f) Parallel Reference Tables showing:
 1. The disposition of ordinances (in numeric sequence) included in the codification (Ordinance to Code).
 2. A listing of code sections based on state statutes (Statute to Code).
 3. A listing of prior code sections incorporated into the new code if applicable (Old Code to New Code).
 - (g) An index (which will be created after the first draft of the Code is submitted).
- (6) Provide the Municipality with model or sample ordinances when available and upon request, at no additional charge.
- (7) Deliver to the Municipality, within 3-6 months from receipt of the materials deemed necessary by the Publisher to begin the codification (prior code, ordinances and new code questionnaire), one copy of a draft of the Code for the Municipality's examination.
- (8) If necessary, hold a conference to make final corrections, additions, and deletions to the Code. The Municipality will be billed for the travel expenses of the American Legal staff attorney. The Municipality may present changes to pages of the draft at the conference. After the final conference, no additional changes are to be made. Any further changes, additions, or deletions shall be made in the future supplements to the Code in accordance with III(3) of this

Agreement. When the draft, and any changes thereto made by the Municipality, is returned to the Publisher, such return of the draft shall be deemed final authorization by the Municipality to publish the Code as returned. If additional conferences are requested by the Municipality which require the travel of a member of the staff of the Publisher, then the Municipality shall be advised what the additional cost, if any, for such conference will be.

- (9) Deliver to the Municipality, within 3 months of receipt of the corrected draft, up to 10 printed copies of the Code meeting the following specifications:
 - (a) Type to be single column, at the request of the Municipality
 - (b) Page size to be 8½" x 11"
 - (c) Printed on high quality paper
 - (d) All copies to be in hard-covered, 3-ring, loose leaf binders. All binders shall have the Municipality's name stamped in gold and shall contain divider tabs.
- (10) Provide a sample adopting ordinance to the Municipality.

II. THE MUNICIPALITY SHALL:

- (1) The Municipality will provide clear copies of all materials necessary to perform the codification, including an up to date copy of any previously published code of ordinances, copies of ordinances and pertinent resolutions not previously codified, and a completed New Code Questionnaire (provided by the Publisher). (If the Municipality provides meeting minutes to the Publisher to review for legislation contained therein rather than actual ordinances or resolutions, there will be an additional charge of \$45.00 an hour to extract ordinances or resolutions from the minutes for use in the new code.)
- (2) After receipt of the draft of the code and legal report described in paragraph I (2), the Municipality shall have 60 days to review the draft and report and to return to the Publisher its comments about the draft and its answers to the legal report. In the alternative, if the Municipality opts for the legal conference described in paragraph I (9), it must contact the Publisher within 60 days to set up a meeting date. The meeting, itself, need not occur within the same 60 day period. If the Municipality fails to either return its comments and answers to the legal report within 60 days or, if applicable, to set up a meeting date, the Municipality may request that the Publisher extend the deadline in writing. The Publisher may adjust the contract price to cover any increased costs due to the Municipality's delay.
- (3) The Publisher agrees to include in the final version of the Code all ordinances adopted by the Municipality up to the time the manuscript is originally due back to the Publisher under the provisions of (2) above. The Municipality agrees that any ordinances adopted after this date shall be included at the Publishers' supplement rates (as set out in paragraph III(3)(b)) at the time of the inclusion of these ordinances into the code.

(4) (a) Pay to the Publisher:

Pay to the Publisher for shipping of the final code order as a base price, the sum of \$8,925.00 for its services set out in Section I, payable as follows:

Forty percent (40%) due upon acceptance of this agreement;
Forty percent (40%) within 30 days after submission of the manuscript and invoice;
The balance 30 days after receiving final delivery of the printed Code books plus invoice.

(b) The price above is based upon a code of the following number of pages according to the format option chosen by the Municipality. Should the final page count of the code include more pages than this estimate, the base price will increase accordingly at the time of the final invoice:

FORMAT	NUMBER OF PAGES	INCREASE
8½" x 11" Single-column page	500 pages	\$18.50 per page

(4) Pay any invoices within 30 days of the invoice date. Invoices outstanding beyond the 30 day period shall be subject to a late payment equal to 1.5% of the unpaid balance per month, or part thereof.

III. OPTIONAL SERVICES.

The Municipality, by the initials of the person executing the agreement on its behalf, exercises the following options:

INITIAL

(1) **Code Format:**

(a) Single-column format _____

(2) **Additional Copies of Code:** **number of copies** _____

The Municipality may purchase additional codes at (*circle one:*)
\$125 per copy with binder or \$95 per copy without a binder

(3) **Five year supplemental service plan:** _____

For a period of five years after delivery of the code:

(a) The Publisher shall:

1. Incorporate into the code new pertinent ordinances submitted by the Municipality.

2. Revise or make additional entries to the table of contents, parallel reference tables, and index as necessary to reflect the incorporation of additional, changed or deleted material.
3. Deliver to the Municipality, up to 10 printed copies of supplemental pages with an instruction sheet for directing the placement of the new pages in the code.

(b) The Municipality shall:

1. Provide a copy of ordinances or resolutions passed subsequent to publication of the previous code supplement;
2. Pay to the Publisher the sum of \$18.50 per reprinted single column page.

The prices above are for a five-year period and cannot be changed except for adjustments in the second, third, fourth, and fifth years of this agreement to reflect any decrease or increase in the United States Consumer Price Index calculable from the month of delivery of the Code.

If the code page contains an image (diagram, photograph, graph, etc.) or table, there is an additional \$10.00 per page charge.

3. Pay to the Publisher the sum of \$1.50 per online updated page, if option to host on American Legal publishing website option selected below.

- (c) Upon completion of the five-year period, this agreement shall automatically renew itself from year to year except that either party may alter or cancel the terms of this agreement at any time upon ninety days written notice.

(4) **Code Hosting options: Initial one option below:**

(a) Code hosted on American Legal Publishing website \$450 per year** _____
 **First year free!

(b) Code hosted on San Juan County – single searchable PDF file provided after each supplemental update \$100. Per update _____

(c) Code hosted on San Juan County – individual searchable PDF files provided after each supplemental update No Charge _____

(5) **Printed copies of the recodified code (up to 10 included):** # _____

IV. TRANSMITTAL AS OFFER.

The transmittal of this Agreement to the Municipality is an offer by the Publisher to perform the stated services at the prices and terms referenced within the Agreement. This offer will expire if not executed by the Municipality by December 31, 2020, unless such date is extended in writing by the Publisher.

IN WITNESS WHEREOF the parties to this contract have hereunto set their hands on the date(s) indicated:

SAN JUAN COUNTY, UTAH

AMERICAN LEGAL PUBLISHING CORPORATION

By _____

By _____

Title _____

Title _____

Date _____

Date _____