

# SCHEDULE A ADDENDUM TO THE SERVICE LEVEL AGREEMENT BETWEEN UTAH INTERACTIVE AND THE UTAH DEPARTMENT OF COMMERCE

This document will serve as the latest Schedule A addendum to the Service Level Agreement with the Utah Department of Commerce, Division of Corporations and Commercial Code ("The Agency") and Utah.gov ("The Network"), the state electronic government portal managed for the state by Utah Interactive Inc. ("Network Manager") as an initiative of the State of Utah, adding The Agency transactions or services to the Network.

## Uniform Commercial Code (UCC) Continuations and Terminations

### AGREEMENTS

1. Access By the Network Manager The Agency authorizes the Network Manager to provide electronic access to allow electronic payments in accordance with this Agreement. The description of Service is as follows:

This application will allow Utah.gov subscribers to continue or terminate an existing UCC filing online. The system is designed to be in compliance with revised UCC Article 9 requirements. The continue and terminate options will be integrated into the existing UCC filing application.

2. Record Classification and User Access The Agency represents to the Network Manager the record classification: Public

- a. The Network Manager certifies that they will offer the following security and authorization for access to the application outlined above:

This application will reside on a secure server that uses Secure Socket Layer (SSL) that will encrypt data transmission between the server and the users' browsers.

3. Record Supply Costs and Computer Programs. The Network Manager shall be responsible for costs and expenses in establishing access to the records and providing record transactions to Users and Administrators, including without limitation, the cost for purchasing or developing and maintaining all programs used to interface with the Agency computer programs and to access the Records. Computer programs used by the Network Manager shall:

- a. Protect information from unauthorized access;
- b. Supply records to Administrators on a timely basis in an accurate, understandable and logical format acceptable to the Agency;
- c. Be prototyped for the Agency, tested by the Network Manager and the Agency, and approved before it is offered to the public.

4. Transaction Logs. The Agency shall have access to the Network Manager's Transaction Log for the purpose of auditing the collection and dissemination of the Agency's records.

5. Subscriber Agreements. The Network Manager shall obtain initial written agreements from all Subscribers that they will comply with any other applicable federal or Utah laws, regulations, or policies relating to record use and confidentiality. Such agreements shall be maintained by the

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Network Manager for inspection by the Utah Department of Commerce, Division of Corporations and Commercial Code.

6. Collection & Payment Processing

a. Collection: The cost to the public for a UCC continuation shall be set by the agency. The Network Manager shall be totally responsible for the collection of payments according to the chart below. No additional amounts may be charged by the Network Manager for the identified records without the prior written agreement of the Department of Commerce, Division of Corporations and Commercial Code and the Network. The fee charged by the Network Manager represents a fee for services to gateway system users. The Network Manager hereby represents to the Utah Department of Commerce, Division of Corporations and Commercial Code that it believes the following charges will fairly and reasonably recompense the Network Manager in order to make the Master Contract a success:

<u>Agency/Project/ Priority</u>	<u>Statutory Fee</u>	<u>Network Manager Fee</u>	<u>Total</u>
1) UCC Continuation	\$12.00	\$2.00	\$12.00
2) UCC Termination	\$0.00	\$0.00	\$0.00

b. Payment Due Date: The Network Manager shall remit payments with the required statements to the Utah Department of Commerce, Division of Corporations and Commercial Code for transactions each month. These payments shall be delivered no later than the last working day of the month after the month in which the fees due to the Utah Department of Commerce, Division of Corporations and Commercial Code were incurred.

7. Records and Finances. All Network documents and records maintained by the Network Manager relating to the Agency records shall be available for inspection; auditing and copying by the agency or other authorized representatives.
8. Efficiency Gain Calculation. The Agency will establish a baseline cost for the processing of payments both prior to making the enhanced service available and after the service is made available to estimate the cost savings of offering this service.
9. Post-production Evaluation. The Agency and the Network Manager will evaluate the performance of the service for 30 days after deployment to determine user satisfaction; after which, any changes necessary will be identified and integrated as immediate fixes regarding the specific application requirements agreed to by both the Agency and Network Manager. Any changes in requirements previously agreed to by both parties will require an impact analysis.

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IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by their duly authorized officials or officers.

The Agency, Department of Commerce, Division of Corporations and Commercial Code

By Kathy Berg  
Kathy Berg, Director

Date 8 Sept 2003

The Network Manager

By Amy Sawyer  
Amy Sawyer, General Manager

Date 9/8/03

The Network

By Al Sherwood  
Al Sherwood, Deputy CIO

Date 9/24/03