

2

AMENDMENT TO THE AGREEMENT BETWEEN
LOUISIANA DEPARTMENT OF PUBLIC SAFETY & CORRECTIONS

AND

CORRECTIONS CORPORATION OF AMERICA
Contractor

CONTRACT # 692239

This amendment is made and entered into and between the State of Louisiana, Department of Public Safety and Corrections, represented by James M. LeBlanc, hereinafter referred to as "Department" and Corrections Corporation of America, represented by Natasha Metcalf, hereinafter referred to as "Contractor".

Mailing Address: 10 Burton Hills Boulevard, Nashville, TN 37215	Federal Tax Identification or Social Security #: 621156308-01
Effective Date of Original Contract: 07/01/2010	Ending Date: (ORIGINAL CONTRACT or LAST AMENDMENT) 06/30/2020
License or Certificate #:	Maximum Contract Amount: \$181,124,274.14

In consideration of the mutual promises contained herein, the parties hereto agree to the following amendments and intending to be mutually bound, the parties hereby agree as follows:

1. The Contractor agrees that all terms and conditions specified in the original contract shall remain in effect, unless specifically modified by this amendment.
2. The following section(s) of this contract are amended effective 07/01/2014 to read as follows:

Change Agreement from:

DELETE: Maximum Contract Amount: \$181,124,274.14

Add or Change Agreement to: (if increase, indicate reason)

ADD: Maximum Contract Amount: \$182,660,588.46

CHANGE: Section 3.1 Management Payment to read:

The state shall pay the Contractor a regular per diem rate of \$31.95 per inmate per day from July 1, 2014 through June 30, 2020. Effective July 1, 2014 through June 30, 2020, the State shall pay the contractor a special per-diem rate of \$16.22 per inmate per day for any inmate in excess of 96% capacity (1,476 beds) up to a maximum of 100 inmates (1,477 beds – 1,576 beds). Should the State exceed 1,576 beds, the per-diem rate shall revert back to the \$31.95 per inmate per day. On any July 1st that this contract remains in effect, these rates shall be adjusted by a percentage based on the Consumer Price Index (CPI) for All Urban Consumers for the previous calendar year, subject to the appropriation of funds by the Legislature. The Secretary of the Department shall include in the Department's Annual budget a request for monies sufficient to cover the per-diem adjustment set forth herein or 4% whichever is less. The Department shall work in good faith to secure the necessary allocation of funds in the Executive Budget.

Inmate days and billings will be determined by the midnight count of each day, which count shall be

approved and signed by the Secretary or his designee.

The State will pay the Contractor a minimum regular per-diem per day equal of 95% of the total existing capacity at the per-diem rate set out above. If, due to Force Majeure, the Facility is incapable of housing 95% of the total existing capacity, this minimum regular per diem will not be applicable until the Facility is again capable of housing such capacity. Effective July 1, 2011, the minimum regular per-diem shall be equal to 96% (1,476 beds) of the total existing capacity at the per-diem rate set out above. Effective July 1, 2014 through June 30, 2020, the State shall pay the contractor a special per-diem rate of \$16.22 per inmate per day adjusted as set out above for any inmate in excess of 96% capacity (1,476 beds) up to a maximum of 100 inmates (1,477 beds – 1,576 beds). Should the State exceed 1,576 beds, the per-diem rate shall revert back to the \$31.95 per inmate per day. If due to Force Majeure, the Facility is incapable of housing 96% of the total existing capacity, this minimum regular, per-diem will not be applicable until the Facility is again capable of housing such capacity.

Pursuant to the increase of 100 offenders, any physical plant changes necessary to comply with all health and safety standards shall be the responsibility of the Department.

(Justification for amendment increase or extension)

Consumer Price Index (CPI) Adjustment 1.4% - \$1,536,314.32

- 3. This amendment is subject to and conditioned upon the availability and appropriation of Federal and/or State funds; and no liability or obligation for payment will develop between the parties until this Amendment has been signed by duly authorized representatives of both parties and approved by the Division of Administration as required.

IN WITNESS WHEREOF, this amendment is signed and entered into on the day below indicated:

LOUISIANA DEPARTMENT OF
PUBLIC SAFETY & CORRECTIONS

WITNESS:


 James M. LeBlanc, Secretary
 9/4/14



Warden


 Contractor



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATION
BA-22 (Revised 10/2005)**

Date: 6/25/2014

Dept/Budget Unit/Program #: 407/WNC/Incarceration

Dept/Agency/Program Name: 407/WNC/Incarceration OCR/CFMS Contract #: 407-692239
 Agency/Program BA-22 #: #3 Agency/Program Contract #: 407-692239

Fiscal Year for this BA-22: 2014-15 BA-22 Start/End Dates: 07/01/14 06/30/15
(yyyy-yy) (Start Date) (End Date)

Multi-year Contract (Yes/No): Yes If "Yes", provide contract dates:
07/01/10 06/30/20
(Start Date) (End Date)

Corrections Corporation of America CCA/621156308-01
(Contractor/Vendor Name) (Contractor/Vendor No.)

Prison Management Services for Winn Correctional Center
(Provide a statement of "Services Provided")

Contract Amendment (Yes/No): Yes Amendment Start/End Dates: 07/01/14 06/30/20
(Start Date) (End Date)

Contract Cancellation (Yes/No): No Date of Cancellation:

TO add Consumer Price Index (CPI) Adjustment 1.4% - \$1,536,314.32
(Provide rationale for amendment or cancellation)

This information is to be provided at the Agency/Program Level				
MEANS OF FINANCING	AMOUNT			
	Current Year	%	Total Contract	%
State General Fund	\$18,528,587	100%	\$182,660,588	100.0%
Interagency Transfers	\$0	0.0%	\$0	0.0%
Fees and Self Gen.	\$0	0.0%	\$0	0.0%
Statutory Dedication	\$0	0.0%	\$0	0.0%
Federal	\$0	0.0%	\$0	0.0%
TOTALS	\$18,528,587	100%	\$182,660,588	100.0%

*Specify Source (i.e., grant name, fund name, IAT, sending agency and revenue source, fee type and source, etc.)
 Are revenue collections for funds utilized above in line with budgeted amounts? (Yes/No) Yes

If not, explain.

This information is to be provided at the Agency/Program Level	
Name of Object Code/Category:	<u>Miscellaneous Charges</u>
Object Code/Category Number:	<u>3650</u>
Amount Budgeted:	<u>\$17,893,318</u>
Amount Previously Obligated:	<u>\$0</u>
Amount this BA-22:	<u>\$18,528,587</u>
Balance:	<u>(\$635,269)</u>

The approval of the aforementioned contract will not cause this agency/program to be placed in an Object Category deficit.

Agy/Prg Contact: Robyn Walker Reviewed/Approved By: Elaine Leibenguth
 Name: Robyn Walker Name: Elaine Leibenguth
 Title: Budget Services Title: Budget Director
 Phone: (225) 342-7933 Phone: (225) 342-7451

FOR AGENCY USE ONLY

AGENCY	PROGRAM	ACTIVITY	ORGANIZ.	OBJECT	REPT CAT	AMOUNT
407	Incarceration		7000	3650		\$18,528,587

Winn Correctional Center
 FY 2014-2015

Act 15
 Per Diem

Amendment #3 to add CPI Adjustment

FISCAL YEAR	PER DIEM	PER DIEM	Days per year	Original Contract	Amendment #3	Total	Amendment #3	Total
	1,476 Offenders	1,477-1,478 Offenders		1,458 x Days per year	Add 100 Beds		1,476 CPI Adjustment	
FY 2010-2011 Per Diem is	\$31.51	\$0.00	365	\$17,688,768.70	\$0.00	\$17,688,768.70	\$0.00	\$17,688,768.70
FY 2011-2012 Per Diem is	\$31.51	\$0.00	366	\$17,737,231.08	\$0.00	\$17,737,231.08	\$0.00	\$17,737,231.08
FY 2012-2013 Per Diem is	\$31.51	\$0.00	365	\$17,688,768.70	\$0.00	\$17,688,768.70	\$0.00	\$17,688,768.70
FY 2013-2014 Per Diem is	\$31.51	\$16.00	365	\$17,688,768.70	\$584,000.00	\$18,272,768.70	\$0.00	\$18,272,768.70
FY 2014-2015 Per Diem is	\$31.95	\$16.22	365	\$17,688,768.70	\$584,000.00	\$18,272,768.70	\$255,818.76	\$18,528,587.46
FY 2015-2016 Per Diem is	\$31.95	\$16.22	366	\$17,737,231.08	\$585,600.00	\$18,322,831.08	\$255,519.64	\$18,579,350.72
FY 2016-2017 Per Diem is	\$31.95	\$16.22	365	\$17,688,768.70	\$584,000.00	\$18,272,768.70	\$255,818.76	\$18,528,587.46
FY 2017-2018 Per Diem is	\$31.95	\$16.22	365	\$17,688,768.70	\$584,000.00	\$18,272,768.70	\$255,818.76	\$18,528,587.46
FY 2018-2019 Per Diem is	\$31.95	\$16.22	365	\$17,688,768.70	\$584,000.00	\$18,272,768.70	\$255,818.76	\$18,528,587.46
FY 2019-2020 Per Diem is	\$31.95	\$16.22	366	\$17,737,231.08	\$585,600.00	\$18,322,831.08	\$255,519.64	\$18,579,350.72
			3653	\$177,033,074.14	\$4,091,200.00	\$181,124,274.14	\$1,536,314.32	\$182,660,588.46