

**AMENDMENT #1 TO AGREEMENT NO. A-15433 BY AND BETWEEN
COUNTY OF MONTEREY AND BETTERUP, INC.**

THIS AMENDMENT is made to the AGREEMENT for annual subscriptions for coaching services by and between **BETTERUP, INC.**, hereinafter “CONTRACTOR”, and the County of Monterey, a political subdivision of the State of California, hereinafter referred to as “County”.

WHEREAS, the County and CONTRACTOR wish to amend the AGREEMENT to extend the term and to increase the total amount of the AGREEMENT.

NOW THEREFORE, the County and CONTRACTOR hereby agree to amend the AGREEMENT in the following manner:

1. **Section 1.0 - “GENERAL DESCRIPTION” shall be amended by removing**, “The County hereby engages CONTRACTOR to perform, and CONTRACTOR hereby agrees to perform, the services described in Exhibits A and B in conformity with the terms of this Agreement.” **and replacing it with**, “The County hereby engages CONTRACTOR to perform, and CONTRACTOR hereby agrees to perform, the services described in Exhibits A and B and any subsequent executed Order Forms in conformity with the terms of this Agreement.”
2. **Section 2.0 - “PAYMENT PROVISIONS” shall be amended by removing**, “County shall pay the CONTRACTOR in accordance with the payment provisions set forth in Exhibit A, subject to the limitations set forth in this Agreement. Fourteen Department Heads have committed to purchase a total of 36 subscriptions for a total of \$216,000. Departments will have the option to purchase up to 14 additional one-year subscriptions at a cost of \$6,000 per subscription, not to exceed a maximum total of \$300,000 over the thirteen-month contract term.” **and replacing it with**, “The total amount payable by County to CONTRACTOR under this AGREEMENT shall not exceed \$720,000. County shall pay the CONTRACTOR in accordance with the payment provisions set forth in each executed Order Form, subject to the limitations set forth in this Agreement.”
3. **Section 3.0 – “TERM OF AGREEMENT,” paragraph 3.01 shall be amended by removing**, “The term of this Agreement is from August 1, 2021 to August 31, 2022, unless sooner terminated pursuant to Exhibit B.” **and replacing it with**, “The term of this Agreement is from August 1, 2021 to August 31, 2023, unless sooner terminated pursuant to Exhibit B.”
4. Except as provided herein, all remaining terms, conditions and provisions of the AGREEMENT are unchanged and unaffected by this AMENDMENT and shall continue in full force and effect as set forth in the AGREEMENT.
5. A copy of this AMENDMENT shall be attached to the original AGREEMENT executed by the County on July 16, 2021.

IN WITNESS WHEREOF, the parties have executed this AMENDMENT on the day and year written below.

MONTEREY COUNTY

CONTRACTOR

Contracts/Purchasing Officer

By: _____
Signature of Chair, President, or
Vice-President

Dated: _____

Printed Name and Title

Approved as to Fiscal Provisions:

Dated: _____

Deputy Auditor/Controller

By: _____
(Signature of Secretary, Asst. Secretary, CFO,
Treasurer or Asst. Treasurer)*

Dated: _____

Approved as to Liability Provisions:

Printed Name and Title

Risk Management

Dated: _____

Dated: _____

Approved as to Form:

Deputy County Counsel

Dated: _____

*INSTRUCTIONS: If CONTRACTOR is a corporation, including limited liability and non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two specified officers. If CONTRACTOR is a partnership, the name of the partnership shall be set forth above together with the signature of a partner who has authority to execute this Agreement on behalf of the partnership. If CONTRACTOR is contracting in an individual capacity, the individual shall set forth the name of the business, if any, and shall personally sign the Agreement.