



Monterey County Board of Supervisors

Board Order

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Salinas, CA 93901
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A motion was made by Supervisor Chris Lopez, seconded by Supervisor Mary L. Adams to:

Agreement No.: A-14059 ; Amendment No.: 3

Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute renewal and amendment No. 3 to the agreement (A-14059) with Waltz Creative LLC for marketing and graphic design services, extending the agreement an additional one (1) year period (August 1, 2023 through July 31, 2024) for a revised full agreement term of August 1, 2018 through July 31, 2024, and adding \$200,000 for a revised total aggregate amount not to exceed \$1,625,000.

PASSED AND ADOPTED on this 22th day of August 2023, by roll call vote:

AYES: Supervisors Alejo, Church, Lopez Askew, and Adams

NOES: None

ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting August 22, 2023.

Dated: August 24, 2023

File ID: A 23-377

Agenda Item No.: 35

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

Emmanuel H. Santos, Deputy

**RENEWAL AND AMENDMENT NO. 3
TO SERVICES AGREEMENT
BETWEEN WALTZ CREATIVE LLC AND
THE COUNTY OF MONTEREY (“COUNTY”), FOR THE PROVISION OF SERVICES AT
NATIVIDAD MEDICAL CENTER, A COUNTY-OWNED AND OPERATED ACUTE CARE
FACILITY
FOR
MARKETING AND GRAPHIC DESIGN SERVICES**

This Renewal and Amendment No. 3 to the Services Agreement (“Agreement”) which was effective on August 1, 2018 is entered into by and between the County of Monterey (“County”), for the provision of services at Natividad Medical Center, a County-owned and operated acute care facility, and Waltz Creative LLC (“CONTRACTOR”); **From this point forward, the party referenced previously as “NMC” shall be referenced as “COUNTY” and collectively, COUNTY and CONTRACTOR are referred to as the “Parties” to this Agreement, with respect to the following:**

RECITALS

WHEREAS, the Parties entered into an Agreement for Marketing and Graphic Design Services pursuant to RFP #9600-79 with a three (3) year term ending July 30, 2021, with the option to extend for two (2) additional one (1) year periods, in which the Monterey County Board of Supervisors approved a total aggregate amount not to exceed \$975,000 for all Agreements awarded per RFP #9600-79 for Marketing and Graphic Design Services; and

WHEREAS, the Parties amended the Agreement on June 15, 2021 via Amendment No. 1 to extend the term through July 31, 2022 to allow for services to continue with no changes to the original scope of work or billing rates with an increase of \$200,000 for a total aggregate amount of \$1,175,000 for all Agreements awarded per RFP #9600-79; and

WHEREAS, CONTRACTOR legally changed the business name to Waltz Creative LLC; and

WHEREAS, the Parties amended the Agreement via Amendment No. 2 to extend it for an additional one (1) year period through July, 31, 2023 to allow for services to continue with additions to the original scope of work attached hereto as “Exhibit A-2 per Amendment No. 2” with a \$250,000 for a total aggregate amount of \$1,425,000 for all Agreements awarded per RFP #9600-79; and

WHEREAS, the Agreement expired on July 31, 2023; and

WHEREAS, the Parties currently wish to renew and amend the Agreement via Renewal and Amendment No. 3 on the same or similar terms, beginning August 1, 2023 and to extend it for an additional one (1) year period through July, 31, 2024 for a revised full Agreement term of August 1, 2018 through July 31, 2024 to allow for services to continue with no changes to the scope of work or billing rates with an increase of \$200,000 for a total aggregate amount of \$1,625,000 for all Agreements awarded per RFP #9600-79; and

AGREEMENT

NOW, THEREFORE, the Parties agree to amend the Agreement as follows:

The Agreement is hereby renewed and amended on the terms and conditions as set forth in the Original Agreement and in Amendment No. 1 and Amendment No. 2 incorporated herein by this reference, except as specifically set forth below.

1. **Section 4.1** under “**TERM OF AGREEMENT**” shall be amended to the following:
“The term of this Agreement is from August 1, 2018 through July, 31, 2024 unless sooner terminated pursuant to the terms of this Agreement.”
2. **Paragraph titled “COMPENSATION AND PAYMENTS”** shall be amended to include:
“5.7. The aggregate total amount payable by COUNTY under all Agreements awarded per RFP 9600-79 for Marketing and Graphic Design services is not to exceed the sum of \$1,625,000.”
3. If there is any conflict or inconsistency between the provisions of Agreement, or this Renewal and Amendment No. 3, the provisions of this Renewal and Amendment No. 3 shall govern.
4. A copy of this Renewal and Amendment No. 3 shall be attached to the Agreement.
5. This Renewal and Amendment No. 3 shall be effective retroactively on August 1, 2023.

The remainder of this page was intentionally left blank.

~ Signature page to follow ~

IN WITNESS WHEREOF, the Parties hereby execute this Renewal and Amendment No. 3 as follows:

COUNTY OF MONTEREY

DocuSigned by:
By: Charles R. Harris
4E1F837D201541 Charles R. Harris, CEO

Date: 8/24/2023 | 11:27 AM PDT

APPROVED AS TO LEGAL PROVISIONS

DocuSigned by:
By: Stacy Saetta
C0ECC1B99F414A9 Monterey County Deputy County Counsel

Date: 7/21/2023 | 8:00 AM PDT

APPROVED AS TO FISCAL PROVISIONS

DocuSigned by:
By: Patricia Ruiz
E79EF64E57454F6 Monterey County Deputy Auditor/Controller

Date: 7/21/2023 | 8:00 AM PDT

CONTRACTOR

Waltz Creative LLC
CONTRACTOR's Business Name
See instructions below

DocuSigned by:
By: Elizabeth Welch
1AA211CADD664C4
(Signature of: Chair, President, or Vice-President)

Elizabeth Welch, Managing Partner
Name and Title

Date: 7/21/2023 | 7:50 AM PDT

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

Name and Title

Date: _____

*****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 (two signatures required).

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 (two signatures required).

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 (one signature required).