



Monterey County Board of Supervisors

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Order

Agreement No.: A-13464

Upon motion of Supervisor Salinas, seconded by Supervisor Phillips and carried by those members present, the Board of Supervisors hereby:

- a. Authorized the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 2 to the agreement with Pacific Medical, Inc. for durable medical equipment (DME) with orthotics and prosthetics fitting services, extending the agreement an additional three (3) year period (May 1, 2017 through April 30, 2020) for a revised full agreement term of May 1, 2015 through April 30, 2020, and adding \$225,000 for a revised total agreement amount not to exceed \$325,000.; and
- b. Authorized the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) (\$10,000) of the original cost of the agreement per each amendment.

PASSED AND ADOPTED on this 7th day of March 2017, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Salinas, Parker and Adams

NOES: None

ABSENT: None

I, Gail T. Borkowski, 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 80 for the meeting on March 7, 2017.

Dated: March 13, 2017
File ID: A 17-032

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By Denise Hancock
Deputy

**AMENDMENT NO. 2
TO SERVICES AGREEMENT
BETWEEN PACIFIC MEDICAL INC., AND
NATIVIDAD MEDICAL CENTER
FOR
ORTHOPEDIC SOFT GOODS AND DURABLE MEDICAL EQUIPMENT (DME) AND
ORTHOTICS AND PROSTHETICS (O&P) SERVICES**

This Amendment No. 2 to the Services Agreement (“Agreement”) which was effective on May 1, 2015 is entered into by and between the County of Monterey, on behalf of Natividad Medical Center (hereinafter “NMC”), and Pacific Medical Inc. (hereinafter “CONTRACTOR”); (collectively, the County, NMC and CONTRACTOR are referred to as the “Parties”), with respect to the following:

RECITALS

WHEREAS, the Agreement was executed for orthopedic soft goods and durable medical equipment (DME) and orthotics and prosthetics (O&P) services with a term May 1, 2015 through April 30, 2016 and a total Agreement amount not to exceed \$100,000; and

WHEREAS, NMC and CONTRACTOR amended the Agreement on March 21, 2016 via Amendment No. 1 to extend the term for an additional one (1) year period through April 30, 2017 to allow for NMC to continue receiving goods and services and to revise the original scope of work and pricing and fees per the Compliance Officer’s request with no increase to the total agreement amount; and

WHEREAS, NMC and CONTRACTOR currently wish to amend the Agreement to increase the total agreement amount due to high demand at NMC for products and services and to extend the term for three (3) additional years, adding \$225,000 for a revised total agreement amount not to exceed \$325,000 and a revised full term of May 1, 2015 through April 30, 2020.

AGREEMENT

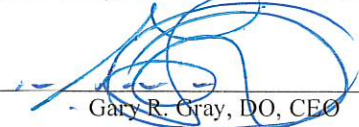
NOW, THEREFORE, the Parties agree to amend the Agreement as follows:

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

1. The last sentence of Paragraph titled “PAYMENTS BY NMC” shall be amended to the following;
“The total amount payable by NMC to CONTRACTOR under this Agreement shall not exceed the sum of \$325,000.”
2. The first sentence of Paragraph titled, “TERM OF AGREEMENT” shall be amended to the following:
“The term of this Agreement is from May 1, 2015 through April 30, 2020 unless sooner terminated pursuant to the terms of this Agreement.”
3. Except as provided herein, all remaining terms, conditions and provisions of the Original Agreement are unchanged and unaffected by this Amendment No. 2 and shall continue in full force and effect as set forth in the Agreement and in Amendment No. 1.
4. A copy of this Amendment No. 2 shall be attached to the Original Agreement.
5. This Amendment No. 2 shall be effective when signed by both parties.

IN WITNESS WHEREOF, the Parties hereto are in agreement with this Amendment No. 2 on the basis set forth in this document and have executed this Amendment No. 2 on the day and year set forth herein.

NATIVIDAD MEDICAL CENTER

By: 
- Gary R. Gray, DO, CEO

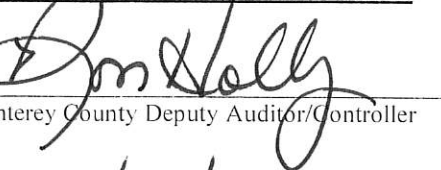
Date: 12/16

APPROVED AS TO LEGAL PROVISIONS

By: 
Monterey County Deputy County Counsel

Date: 12-21-16

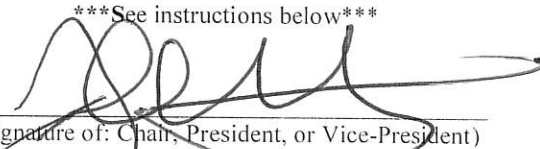
APPROVED AS TO FISCAL PROVISIONS

By: 
Monterey County Deputy Auditor/Controller

Date: 12/22/16

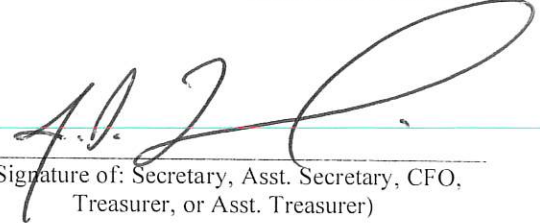
CONTRACTOR

Pacific Medical, Inc.
Pacific Medical Inc.

See instructions below
By: 
(Signature of: Chair, President, or Vice-President)

John Petlonsky, CEO
Name and Title

Date: 11-30-16

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

Jeff Leonard, CFO
Name and Title

Date: 11-30-16

*****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).