

**AMENDMENT NO. 9  
TO AGREEMENT FOR SPECIALIZED  
ATTORNEY SERVICES BY AND  
BETWEEN COUNTY OF MONTEREY  
AND BEST BEST & KRIEGER, LLP**

**THIS AMENDMENT NO. 9** to Agreement for Specialized Attorney Services ("AGREEMENT") for the provision of legal services is made by and between the COUNTY OF MONTEREY, a political subdivision of the State of California (hereinafter referred to as "COUNTY"), on behalf of Natividad Medical Center, and **Best Best & Krieger, LLP** (hereinafter referred to as "ATTORNEY"), with respect to the following.

**RECITALS**

**WHEREAS**, COUNTY and ATTORNEY entered into AGREEMENT in the amount of \$80,000 with a term of May 1, 2017 to April 30, 2019; and

**WHEREAS**, COUNTY and ATTORNEY entered into an AMENDMENT NO. 1, increasing the total contract liability to \$198,000 with no change to the term of the AGREEMENT; and

**WHEREAS**, COUNTY and ATTORNEY entered into an AMENDMENT NO. 2, increasing the total contract liability to \$325,000 and extending the term of the AGREEMENT to April 30, 2022; and

**WHEREAS**, COUNTY and ATTORNEY entered into an AMENDMENT NO. 3 increasing the total contract liability to \$465,000 with no change to the term of the AGREEMENT; and

**WHEREAS**, COUNTY and ATTORNEY entered into an AMENDMENT NO. 4, extending the term of the AGREEMENT by two years, for a revised full term of May 1, 2017 to April 30, 2024, with no change to the total contract liability of \$465,000; and

**WHEREAS**, the AGREEMENT expired by its terms on April 30, 2024; and

**WHEREAS**, COUNTY and ATTORNEY entered into a RENEWAL AND AMENDMENT NO. 5, reinstating the AGREEMENT retroactive to May 1, 2024 and extending the term of the AGREEMENT by two years, for a revised full term of May 1, 2017 to April 30, 2026, with no change to the total contract liability of \$465,000; and

**WHEREAS**, COUNTY and ATTORNEY entered into an AMENDMENT NO. 6, adding \$250,000 to the AGREEMENT retroactive to May 1, 2024, for a revised total contract liability of \$715,000, with no change to the term of May 1, 2017 to April 30, 2026; and

**WHEREAS**, COUNTY and ATTORNEY entered into an AMENDMENT NO. 7, adding \$180,000 to the AGREEMENT retroactive to October 1, 2024, for a total revised agreement

Agreement for Specialized Attorney Services with BEST BEST & KRIEGER, LLP

Term: May 1, 2017 to April 30, 2026

NTE: \$1,295,000

amount of \$895,000, with no change to the term of May 1, 2017 through April 30, 2026; and

**WHEREAS**, COUNTY and ATTORNEY entered into an AMENDMENT NO. 8, adding \$100,000, for a revised total contract liability of \$995,000, with no change to the term of May 1, 2017 to April 30, 2026; and

**WHEREAS**, COUNTY and ATTORNEY mutually desire to add \$300,000, for a revised total contract liability of \$1,295,000, with no change to the term of May 1, 2017 to April 30, 2026.

### **AGREEMENT**

**NOW THEREFORE**, COUNTY and ATTORNEY hereby agree to amend AGREEMENT in the following manner:

The Agreement is hereby amended on the terms and conditions as set forth in the Agreement, except as specifically set forth below.

1. Paragraph 1.03, Budget, first sentence. Paragraph 1.03, Budget, first sentence, shall be amended and restated as follows:  
“ATTORNEY and COUNTY agree that the budget for the Project shall not exceed the sum of one million, two-hundred ninety-five thousand dollars (\$1,295,000).”
2. Except as provided herein, all remaining terms, conditions and provisions of the AGREEMENT that are unchanged and unaffected by this AMENDMENT NO. 9 shall continue in full force and effect as set forth in the AGREEMENT.
3. This AMENDMENT NO. 9 shall be effective July 1, 2025.
4. A copy of this AMENDMENT NO. 9 shall be attached to the original AGREEMENT executed by the County.

**IN WITNESS WHEREOF**, County and ATTORNEY have executed this AGREEMENT as of the day and year written below.

DATED: \_\_\_\_\_

COUNTY

By \_\_\_\_\_  
Susan K. Blitch  
County Counsel  
County of Monterey

ATTORNEY

DATED: 6/16/2025 | 4:32 PM PDT

DocuSigned by:  
By Leeann Habte  
EA10033A6F75426...  
Leeann Habte, Partner  
Best Best & Krieger, LLP

APPROVED AS TO FORM AND LEGALITY

DATED: 6/16/2025 | 5:18 PM PDT

DocuSigned by:  
By Stacy Saelta  
C0ECE1B99F444A9...  
Stacy L. Saelta  
Chief Deputy County Counsel

APPROVED AS TO FINANCIAL TERMS

DATED: 6/17/2025 | 8:37 AM PDT

DocuSigned by:  
By Patricia Ruiz  
E79EF64E57454F6...  
Auditor Controller Analyst I  
Title

**..Title**

- a. Authorize the County Counsel to execute amendment No. 9 to the agreement (A-13923) with Best Best & Krieger, LLP for specialized attorney services, adding \$300,000, for a total revised agreement amount of \$1,295,000, with no change to the term of May 1, 2017 through April 30, 2026; and
- b. Authorize the County Counsel to execute up to one (1) future amendment that does not exceed 10% (\$8,000) of the original Agreement amount, does not significantly alter the scope of work, and does not exceed a revised maximum amount of \$1,303,000.

**..Report**

**RECOMMENDATION:**

**It is recommended the Board of Supervisors:**

- a. Authorize the County Counsel to execute amendment No. 9 to the agreement (A-13923) with Best Best & Krieger, LLP for specialized attorney services, adding \$300,000, for a total revised agreement amount of \$1,295,000, with no change to the term of May 1, 2017 through April 30, 2026; and
- b. Authorize the County Counsel to execute up to one (1) future amendment that does not exceed 10% (\$8,000) of the original Agreement amount, does not significantly alter the scope of work, and does not exceed a revised maximum amount of \$1,303,000.

**SUMMARY/DISCUSSION:**

Best Best & Krieger, LLP provides advice and consultation with the Office of the County Counsel on a variety of healthcare-related issues to Natividad Medical Center. The firm performs specialized legal attorney services related to healthcare law, including, but not limited to, the Health Insurance Portability and Accountability Act (HIPAA), Stark and Anti-Kickback laws and laws pertaining to intellectual property law. They provide guidance on Business Associate Agreements, commercial law, and a variety of issues related to confidentiality of medical information.

**OTHER AGENCY INVOLVEMENT:**

County Counsel reviewed and approved this renewal and amendment No. 9 as to legal form, and the Auditor-Controller reviewed and approved as to payment provisions. The amendment No. 9 was reviewed and approved by NMC's Finance Committee and Board of Trustees on June 13, 2025.

**FINANCING:**

The cost for this amendment No. 9 is \$300,000 of which \$300,000 is included in the Fiscal Year 2025-2026 Recommended Budget. Amounts for the remaining years of the agreement will be included in those budgets as appropriate. Funding will be provided from NMC's Enterprise Fund 451-9600-6613

**BOARD OF SUPERVISORS STRATEGIC INITIATIVES:**

This agreement is for legal consulting services regarding healthcare related matters on an as needed basis, the outcome of which will contribute to assisting NMC run efficient business operations.

- ☐ Economic Development
- ☒ Administration
- ☐ Health and Human Services
- ☐ Infrastructure
- ☐ Public Safety

Prepared by: Daniel Leon, Chief Financial Officer, 783-2561

Approved by: Charles R. Harris, M.D., Chief Executive Officer, 783-2504

Attachments:

Best Best & Krieger Amendment No. 9  
Best Best & Krieger Amendment No. 8  
Best Best & Krieger Amendment No. 7  
Best Best & Krieger Amendment No. 6  
Best Best & Krieger Renewal and Amendment No. 5  
Best Best & Krieger Amendment No. 4  
Best Best & Krieger Amendment No. 3  
Best Best & Krieger Amendment No. 2  
Best Best & Krieger Amendment No. 1  
Best Best & Krieger Agreement

Attachments on file with the Clerk of the Board