

**AMENDMENT NO. 1 TO AGREEMENT #A-12022 BETWEEN
THE COUNTY OF MONTEREY & PACIFIC HEALTH ALLIANCE
(PHA)**

WHEREAS, PACIFIC HEALTH ALLIANCE (PHA) hereinafter "CONTRACTOR", and the COUNTY OF MONTEREY, a political subdivision of the State of California, hereinafter referred to as "COUNTY", previously entered into an agreement dated June 1, 2011, for the provision of DENTAL PLAN SERVICES and THIRD PARTY ADMINISTRATION for THE COUNTY OF MONTEREY'S self-insured dental program; and,

WHEREAS, the AGREEMENT will expire pursuant to its terms on December 31, 2015; and

WHEREAS, COUNTY and CONTRACTOR wish to amend the AGREEMENT to extend to December 31, 2016 to reflect the County's exercise of the option to extend the AGREEMENT for one (1) of three (3) additional year options; and

WHEREAS, COUNTY and CONTRACTOR wish to increase claim and COBRA administration fees outlined EXHIBIT B by 5%; and

WHEREAS, COUNTY and CONTRACTOR agree, 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.

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

- 1. Paragraph 3, "TERM OF AGREEMENT", shall be amended by removing "The initial term shall commence with the signing of the AGREEMENT through and including December 31, 2015", and replacing it with "The initial term of this Agreement is through and including December 31, 2015. COUNTY and CONTRACTOR agree to exercise the option to extend the AGREEMENT to December 31, 2016, unless sooner terminated pursuant to the terms of this Agreement".**
- 2. EXHIBIT B – COST SUMMARY, shall be amended by increasing CLAIM and COBRA ADMINISTRATION fees by 5%. New rates will be as follows:**
 - a. Claim Administration - \$3.10 per reported enrolled employee (or retiree) per month;**
 - b. COBRA Administration – Monthly administrative fee of \$315.00 and \$9.45 per COBRA enroll per month.**
- 3. 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.**
- 4. A copy of this AMENDMENT shall be attached to the original AGREEMENT dated June 1, 2011.**

EXHIBIT B – COST SUMMARY

THE COUNTY OF MONTEREY agrees to the terms set forth in this AGREEMENT to pay PACIFIC HEALTH ALLIANCE, the following fees payable monthly in advance by COUNTY:

DENTAL PLAN

Claims Administration

Effective January 1, 2016 - \$3.10 per reported enrolled employee (or retiree) per month

All printing and postage fees. Contractor will provide written documentation.

Dental Plan Network Access Fee – waived

PHA shall review and reprice dental claims for dental providers who are members of the PHA Preferred Dental Network. PHA shall not receive any additional compensation for savings generated through the Preferred Dental Network.

A report will be provided by Pacific Health Alliance to Monterey County by the 20th day of each month providing a summary of claims, savings and adjustments resulting from this program for the preceding month.

COBRA Administration

Monthly administrative fee of \$315.00 per month and \$9.45 per enrollee per month.

All printing and postage fees. Contractor will provide written documentation.

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

MONTEREY COUNTY

Debra Wilton
Contracts/Purchasing Officer

Deputy Purchasing Agent

Dated: 12/29/2015

Approved as to Fiscal Provisions:

[Signature]
Deputy Auditor/Controller

Dated: 12/2/15

Approved as to Liability Provisions:

Risk Management

Dated: _____

Approved as to Form:

[Signature]
Deputy County Counsel

Dated: 12/18/15

CONTRACTOR

By: *Lourence Cappel*
Signature of Chair, President, or Vice-President

LOURENCE CAPPEL
Printed Name and Title PRESIDENT

Dated: 12-1-15

By: *[Signature]*
(Signature of Secretary, Asst. Secretary, CFO, ~~SECRETARY~~
Treasurer or Asst. Treasurer)*

ROBERT MACKLER
Printed Name and Title SECRETARY

Dated: 12-2-15

*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.

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

MONTEREY COUNTY

Alegra Wilk
Contracts/Purchasing Officer

Deputy Purchasing Agent

Dated: 12/29/2015

Approved as to Fiscal Provisions:

[Signature]
Deputy Auditor/Controller

Dated: 12-21-15

Approved as to Liability Provisions:

Risk Management

Dated: _____

Approved as to Form:

[Signature]
Deputy County Counsel

Dated: 12/18/15

CONTRACTOR

By: *[Signature]*
Signature of Chair, President, or Vice-President

Lawrence Cappel
Printed Name and Title **PRESIDENT**

Dated: 12-1-15

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

ROBERT MACKLER
Printed Name and Title **SECRETARY**

Dated: 12-2-15

*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.

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

MONTEREY COUNTY

Debra Wilk
Contracts/Purchasing Officer

Deputy Purchasing Agent
Dated: 12/29/2015

Approved as to Fiscal Provisions:
Debra Wilk
Deputy Auditor/Controller

ed: 12-2-15

Approved as to Liability Provisions:
Risk Management

Dated: _____

Approved as to Form:
[Signature]
Deputy County Counsel

Dated: 12/18/15

CONTRACTOR

By: [Signature]
Signature of Chair, President, or
Vice-President

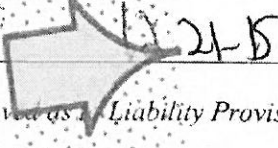
LAWRENCE CARREL
Printed Name and Title

Dated: 12-1-15

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

ROBERT MACKLER
Printed Name and Title **SECRETARY**

Dated: 12-2-15

**SIGN
HERE** 

*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.

MONTEREY COUNTY BOARD OF SUPERVISORS

MEETING: June 28, 2011 - Consent	AGENDA NO.: 41
SUBJECT: a. Approve and Authorize the Contracts and Purchasing Officer to sign an Agreement with Pacific Health Alliance (PHA), for Third Party Administrator (TPA) Services for the County's self-insured Dental Program per Request for Proposal (RFP) #10254, with the initial Agreement term beginning July 1, 2011 through December 31, 2015, including the option to extend the Agreement for up to three (3) additional one (1) year periods; and b. Authorize the Contracts and Purchasing Officer to sign future Amendments to the Agreement where the Amendments do not significantly change the scope of work or cause an increase in the Agreement rates of more than ten percent (10%)	
DEPARTMENT: County Administrative Office	

RECOMMENDATIONS:

It is recommended that the Board of Supervisors:

- a. Approve and Authorize the Contracts and Purchasing Officer to sign an Agreement with Pacific Health Alliance (PHA), for Third Party Administrator (TPA) Services for the County's self-insured Dental Program per Request for Proposal (RFP) #10254, with the initial Agreement term beginning July 1, 2011 through December 31, 2015, including the option to extend the Agreement for up to three (3) additional one (1) year periods (see attachment A); and
- b. Authorize the Contracts and Purchasing Officer to sign future Amendments to the Agreement where the Amendments do not significantly change the scope of work or cause an increase in the Agreement rates of more than ten percent (10%)

SUMMARY/DISCUSSION:

Approval of the recommended actions will enable the County Administrative Office to procure TPA Services for the County's self-insured Dental Program, (available to all County employees) as well as enrollment services for Consolidated Omnibus Budget Reconciliation Act (COBRA) participants. At the current rate of participation, the monthly fee for all enrolled participants will be \$14,055 per month or approximately \$170,000 per year. Current enrollment is 4,291 employees, 51 COBRA participants and 117 retirees.

The TPA fees for the dental program are part of the costs used by the Benefits Actuary to determine the monthly rate that should be charged for this program. The costs for the dental program are paid by departments (for employee only coverage), and employees (for dependent coverage). Retirees and COBRA participants pay 100% of the premiums.

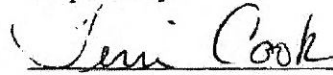
OTHER AGENCY INVOLVEMENT:

Contracts/Purchasing, County Counsel and the Auditor's Office were involved in the RFP process and have reviewed and approved the contract which was submitted to the vendor for signature.

FINANCING:

The costs associated with this action are included in the Benefits Internal Service Fund (specifically in the Dental Unit).

Prepared by:



Terri Cook
Management Analyst III

Approved by:



Keith Honda
Asst. County Administrative Officer
Human Resources

Date: June 15, 2011

Before the Board of Supervisors in and for the County of Monterey, State of California

Agreement No. A-12022

- a. Approve and authorize the Contracts and Purchasing Officer to sign an Agreement with Pacific Health Alliance (PHA) for Third Party Administrator (TPA) Services for the County's self insured Dental Program per Request for Proposal (RFP) #10254, with the initial Agreement term beginning July 1, 2011 through December 31, 2015, including the option to extend the Agreement for up to three (3) additional one (1) year periods; and)
- b. Authorize the Contracts and Purchasing Officer to sign future Amendments to the Agreement where the Amendments do not significantly change the scope of work or cause an increase in the Agreement rates of more than ten percent (10%).....)

Upon motion of Supervisor Salinas, seconded by Supervisor Calcagno, and carried by those members present, the Board hereby;

- a. Approved and authorized the Contracts and Purchasing Officer to sign an Agreement with Pacific Health Alliance (PHA) for Third Party Administrator (TPA) Services for the County's self insured Dental Program per Request for Proposal (RFP) #10254, with the initial Agreement term beginning July 1, 2011 through December 31, 2015, including the option to extend the Agreement for up to three (3) additional one (1) year periods; and
- b. Authorized the Contracts and Purchasing Officer to sign future Amendments to the Agreement where the Amendments do not significantly change the scope of work or cause an increase in the Agreement rates of more than ten percent (10%).

PASSED AND ADOPTED on this 28th day of June, 2011, by the following vote, to wit:

AYES: Supervisors Calcagno, Salinas, and Parker
 NOES: None
 ABSENT: Supervisors Armenta and Potter

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 75 for the meeting on June 28, 2011.

Dated: July 6, 2011

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

By *Christ A. Nul*
Deputy