



## Monterey County

### Board Order

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

#### Agreement No.: A-12438

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

Approved and authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute Renewal and Amendment No. 2 to the Agreement (A-12438/MYA723) with B.E. Smith Inc. for Interim Employee Services at NMC, extending the Agreement to June 30, 2014 and adding \$183,000 for a revised total Agreement amount not to exceed \$859,200 in the aggregate.

PASSED AND ADOPTED on this 11th day of February 2014, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Parker and Potter

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 77 for the meeting on February 11, 2014.

Dated: February 12, 2014  
File Number: A 13-307

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

By   
Deputy

**RENEWAL AND AMENDMENT NO. 2  
TO PROFESSIONAL SERVICES AGREEMENT  
BETWEEN B.E. Smith Inc. AND  
THE NATIVIDAD MEDICAL CENTER  
FOR  
Interim Employee Services**

This Renewal and Amendment No. 2 to Professional Services Agreement ("Agreement"), dated January 1, 2013 is entered into by and between the County of Monterey, on behalf of Natividad Medical Center ("NMC"), and B.E. Smith Inc. (Contractor), with respect to the following:

**RECITALS**

**WHEREAS**, the County and Contractor amended the Agreement previously on March 12, 2013 via Amendment No. 1; and

**WHEREAS**, the County and Contractor wish to renew and amend the Agreement to extend the term end date to allow for existing services to continue; and

**WHEREAS**, the County and Contractor wish to renew and amend the Agreement to increase the amount of the Agreement by \$183,000 because of the term extension and the amount payable for services rendered.

**AGREEMENT**

**NOW, THEREFORE**, the parties agree to renew and amend the Agreement as follows:

1. Contractor will continue to provide NMC with the same scope of services as stated in the original Agreement (No. MYA723).
2. Section 2. "PAYMENTS BY NMC" shall be amended by removing, *"The total amount payable by NMC to CONTRACTOR under this Agreement shall not exceed the sum of \$100,000."* and replacing it with *"The total amount payable by County to CONTRACTOR under Agreement No. (MYA723) shall not exceed the total sum of \$859,200 for the full term of the Agreement"*.
3. Section 3, "TERM OF AGREEMENT" shall be amended by removing, *"The term of this Agreement is from January 1, 2013 to June 30, 2013 unless sooner terminated pursuant to this Agreement"* and replacing it with *"The term of this Agreement is January 1, 2013 to June 30, 2014 unless sooner terminated pursuant to this Agreement"*.
4. Except as provided herein, all remaining terms, conditions and provisions of the Agreement and Amendment No.1 are unchanged and unaffected by this Renewal and Amendment No. 2 and shall continue in full force and effect as set forth in the Agreement.
5. A copy of this Renewal and Amendment No. 2 and all previous amendments shall be attached to the original Agreement (No. MYA723).
6. The effective date of this Renewal and Amendment No. 2 is January 1, 2014.

IN WITNESS WHEREOF, the parties hereto are in agreement with this Amendment on the basis set forth in this document and have executed this Amendment on the day and year set forth herein.

Natividad Medical Center

By: [Signature]  
Sid Cato, NMC Contracts Manager

Date: 7-24-10

By: [Signature]  
Harry Weis, NMC Chief Executive Officer

Date: 11-1-13

APPROVED AS TO LEGAL PROVISIONS

By: [Signature]  
Anne Brereton, Deputy County Counsel

Date: Dec. 3, 2013

APPROVED AS TO FISCAL PROVISIONS

By: [Signature]  
Gary Giboney  
Monterey County Auditor/Controller's Office

Date: 12-3-13

Contractor

B. E. Smith, Inc.  
Contractor's Business Name\*\*\* (see instructions)

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

Bryan Christensen, Vice President  
Name and Title

Date: 10-25-13

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

AVP, Finance  
Name and Title

Date: 10/25/13

\*\*\*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 and individual capacity, the individual shall set forth the name of the business, if any and shall personally sign the Agreement (one signature required)