



## Monterey County Board of Supervisors

### Board Order

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1st Floor  
Salinas, CA 93901  
831.755.5066  
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A motion was made by Supervisor Chris Lopez, seconded by Supervisor Mary L. Adams to

**Agreement No.: A-14062; Amendment No.: 2**

a. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute amendment No. 2 to the agreement (A-14062) with Modular Devices, Inc. for the continued lease of a mobile angiography/interventional radiology lab (IR) unit and a mobile magnetic resonance imaging (MRI) unit at NMC, with no change to the term of the agreement, and adding \$477,000 for a revised total agreement amount not to exceed \$4,262,000.

PASSED AND ADOPTED on this 5<sup>th</sup> day of March 2021, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Askew and Adams  
NOES: None  
ABSENT: None  
(Government Code 54953)

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 February 23, 2021.

Dated: March 17, 2021  
File ID: A 21-043  
Agenda Item No.: 3

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

  
Julian Lorenzana, Deputy

**AMENDMENT NO. 2  
TO EQUIPMENT LEASE AGREEMENT  
BETWEEN MODULAR DEVICES, INC. AND  
NATIVIDAD MEDICAL CENTER  
FOR  
LEASE OF RADIOLOGY TRAILERS**

This Amendment No. 2 to the Equipment Lease Agreement (“Lease”) which was effective on August 1, 2018 is entered into by and between the County of Monterey, on behalf of Natividad Medical Center (hereinafter “NMC”), and Modular Devices, Inc. (hereinafter “CONTRACTOR”); (collectively, the County, NMC and CONTRACTOR are referred to as the “Parties”), with respect to the following:

**RECITALS**

**WHEREAS**, the Lease was executed for the lease of a mobile computerized tomography (CT) unit, a mobile angiography interventional radiology lab (IR) unit, and a mobile magnetic resonance imaging (MRI) unit with a term of August 1, 2018 through July 31, 2020 and a total Lease amount not to exceed \$2,868,000; and

**WHEREAS**, NMC and CONTRACTOR amended the Lease on June 9, 2020 via Amendment No. 1 to extend the term for an additional eleven (11) month period through June 30, 2021 to allow for services to continue and to add an additional \$917,000 thereby increasing the total Lease amount to \$3,785,000; and

**WHEREAS**, NMC and CONTRACTOR currently wish to amend the Lease to add \$477,000 for the continued use of the IR and MRI units through June 30, 2021 for a revised total Lease amount of \$4,262,000, with no change to the term of the Lease.

**AGREEMENT**

**NOW, THEREFORE**, the Parties agree to amend the Lease as follows:

1. **Section 2.** Section 2 to the Lease is hereby amended and restated to read in its entirety as follows:  
  
“2. **TERM AND TOTAL AMOUNT PAYABLE.** The term of this Lease is August 1, 2018 (“Effective Date”) through June 30, 2021. The total amount payable by NMC to CONTRACTOR under this Lease shall not exceed the sum of \$4,262,000.”
2. Except as provided herein, all remaining terms, conditions and provisions of the Lease are unchanged and unaffected by this Amendment No. 2 and shall continue in full force and effect as set forth in the Lease.
3. A copy of this Amendment No. 2 shall be attached to the Lease.
4. This Amendment No. 2 shall be effective when signed by the last party.

*The remainder of this page was intentionally left blank.*

*~ Signature page to follow ~*

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: Dr. Gary R. Gray  
Gary R. Gray, MD, CEO

Date: 3/15/21

**APPROVED AS TO LEGAL PROVISIONS**

By: Stacy L. Saelle  
Monterey County Deputy County Counsel

Date: 1/13/2021

**APPROVED AS TO FISCAL PROVISIONS**

By: Gary K. Giboney  
Monterey County Deputy Auditor/Controller

Date: 1-13-2021

**CONTRACTOR**

Modular Devices, Inc.

**CONTRACTOR's Business Name**

\*\*\*See instructions below\*\*\*

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

Greg S. Mink CEO  
Name and Title

Date: 1-5-2021

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

CFO  
Name and Title

Date: 1/5/21

**\*\*\*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).