

**Amendment No. 5
To
Physician Services Agreement
By and between
County of Monterey and Lucile Salter Packard Children's Hospital at Stanford.**

This Amendment No. 5 is made and entered into, by and between the County of Monterey, a political subdivision of the State of California, on behalf of its Health Department, hereinafter referred to as "County", and Lucile Salter Packard Children's Hospital at Stanford, hereinafter referred to as "LPCH".

RECITALS:

WHEREAS, the County and LPCH have heretofore entered into a Physician Services Agreement ("Agreement") to provide physician specialty services in Obstetrics and Gynecology with a term of October 1, 2008 to September 30, 2011; and

WHEREAS, on or about September 28, 2011, the County and LPCH entered into an executed Amendment No. 1 to extend the term of the Agreement for one (1) additional year for a new Agreement amount not to exceed Four Hundred Eighty Thousand (\$480,000) dollars for the period of October 1, 2008 to September 30, 2012; and

WHEREAS, on or about September 26, 2012, the County and LPCH, entered into an executed Amendment No. 2 to extend the term of the Agreement for one (1) additional year for a new Agreement amount not to exceed Six Hundred Thousand (\$600,000) dollars for the period of October 1, 2008 to September 30, 2013; and

WHEREAS, on or about October 1, 2013, the County and LPCH, entered into an executed Amendment No. 3 to extend the term of the Agreement for one (1) additional year for a new Agreement amount not to exceed Seven Hundred Twenty Thousand (\$720,000) dollars for the period of October 1, 2008 to September 30, 2014; and

WHEREAS, on or about October 1, 2014, the County and LPCH, entered into an executed Amendment No. 4 to extend the term of the Agreement for two (2) additional years for a new Agreement amount not to exceed Nine Hundred Sixty Thousand (\$960,000) dollars for the period of October 1, 2008 to September 30, 2016; and

WHEREAS, the County and LPCH desire to extend the term of the Agreement, update Physicians Providing Contracted Services and increase the maximum compensation as set forth herein.

NOW THEREFORE, in consideration of the mutual agreements and covenants contained therein and for other good and valuable consideration, the receipt and sufficiency of which hereby are acknowledged, it is mutually agreed and covenanted by and between the County and LPCH as follows:

1. Term. Section 10(a) of the Agreement is hereby amended by extending the term of the Agreement for one (1) additional year, for a new Agreement amount not to

exceed One Million Eighty Thousand Dollars (\$1,080,000) for the period of October 1, 2008 to September 30, 2017.

2. Exhibit A. Exhibit A is replaced in its entirety with Exhibit A-3 attached hereto. All references in the Agreement to Exhibit A shall be construed to refer to Exhibit A-3.
3. Compensation. As set forth in Exhibit C to the Agreement, the parties hereto acknowledge and agree that County will pay LPCH at the rate of Ten Thousand Dollars (\$10,000) per month for services provided by Physicians at the Clinic during the term of this Agreement.
4. Agreement in Effect. Except as provided herein, all remaining terms, conditions and provisions of the Agreement are unchanged and unaffected by this Amendment No. 5 and shall continue in full force and effect.
5. A Copy of this Amendment No. 5 shall be attached to the Agreement.
6. Effective Date. The effective date of this Amendment No. 5 is October 1, 2016.
7. Counterparts. This Amendment No. 5 may be executed in counterparts, any of which need not contain the signature of more than one party, but all of which taken together shall be one and the same agreement.

[Signatures on following page]

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 5 as of the date set forth below their respective signatures.

COUNTY OF MONTEREY

By: _____

Date: _____

Elsa M. Jimenez, Director of Health
Department of Health

Approved as to Fiscal Provisions:

By: _____

Gary Giboney, Auditor-Controller

Date: 9/2/16

Approved as to Legal Form:

By: Stacy L. Saetta
Stacy L. Saetta, Deputy County Counsel

Date: 9/2/2016

Approved as to Liability Provisions:

~~INSURANCE LANGUAGE~~
COUNTY OF MONTEREY
APPROVED AS TO INDEMNITY/
By: ~~INSURANCE LANGUAGE~~
Steve Mauck, Risk Management

By: Diana Schumaker
Date: 9-28-16

LPCH

By: Kim Roberts

Name: Kim Roberts

Title: Chief Strategy Officer

Date: 8/25/16

Acknowledged and Agreed:

By: Jonathan S. Berek

Name: Jonathan S. Berek, M.D.

Title: Chair, Dept. of Obstetrics &
Gynecology

Date: August 30, 2016

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 5 as of the date set forth below their respective signatures.

COUNTY OF MONTEREY

By: _____

Date: _____

Elsa M. Jimenez, Director of Health
Department of Health

Approved as to Fiscal Provisions:

By: _____

Gary Giboney, Auditor-Controller

Date: _____

Approved as to Legal Form:

By: _____

Stacy L. Saetta, Deputy County Counsel

Date: _____

Approved as to Liability Provisions:

RISK MANAGEMENT
COUNTY OF MONTEREY
APPROVED AS TO INDEMNITY/
INSURANCE LANGUAGE

Steve Mauck, Risk Management

By: _____

Date: _____

LPCH

By: _____

Name: Kim Roberts

Title: Chief Strategy Officer

Date: _____

Acknowledged and Agreed:

By: _____

Name: Jonathan S. Berek, M.D.

Title: Chair, Dept. of Obstetrics &
Gynecology

Date: _____

EXHIBIT A-3

Physicians Providing Contracted Services

Mark Boddy, MD
Martha Rode, MD
Dawn Pekarek, MD
Joyce Sung, MD

The Physicians listed above are provided by LPCH subject to his/her availability. If the scheduled Physician is not available, LPCH reserves the right to substitute and add another similarly qualified Physician with the prior approval of the County. Only one LPCH Physician will be present at each of the clinic sessions.

ROUTING FORM – RQN #: 4000-2449-1

Date: 9/2/16

☐ AGREEMENT ☒ AMENDMENT ☒ BOARD REPORT FOR PRE-APPROVAL

Vendor Name: LUCILE SALTER PACKARD CHILDREN'S HOSPITAL (LPCH)

Title/Brief Description of Document: Board Report and Amendment No. 5 to Agreement between LPCH and Monterey County Health Department to extend term for Perinatology Specialty Services to 10/1/08 – 9/30/17 and increase NTE to \$1,080,000.

Originating Dept.: 4000 - 8096 Dept. Contact WITH Phone #: SHEENA MORALES X1393

This Agreement or Amendment requires Board Approval: Yes ☒ No ☐This Agreement requires an MYA: Yes ☐ No ☐**AGREEMENT TYPE**

☐	RQNSA – Standard Agreement	☐	RQNNS – Non-Standard Agreement
☐	RQNIT – ITD Standard Agreement	☐	RQNIN – ITD Non-Standard Agreement
☒	RQNPB – Pre-Board Standard Agreement	☐	Non-Standard Board Agreement (Not to be tracked within RQN)
☒	Insurance & Endorsement Current	☒	VDR & Non-Resident State Forms Verified

ROUTING AND APPROVALS*

Each Approving Authority is requested to forward the Service Contract to the next Approving Authority in the order listed herein. Thank you.

	Approving Authority:	Approval Initials	Comments:	Date Reviewed
1st	ITD(for all ITD related contracts)		N/A	
2nd	County Counsel (required)	JS		9/2/2016
3rd	Risk Management (non-standard insurance and/or indemnity provisions)	JS	Click here to enter text.	9-28-16
4th	Auditor-Controller (required)	JS	Please call PRISCA SEGOVIA 755-4939 when ready to pickup. DO NOT INTEROFFICE	9/2/16
5th	Contracts/Purchasing (required)	JS	INITIALIZED FOR ROUTING	9-6-16
	Return to Originating Department Instructions		Sheena Morales x 1393	

* In the event that one of the approving authorities has an issue with the document and will not sign, the document shall be returned immediately to the originating department's key contact person identified herein along with a brief written explanation regarding the issue. Once that issue is corrected, the originating department shall restart the routing process again from the beginning by resubmitting the document through the approval process. The original Routing Form should be included for reference.

MYA #: *

**HEALTH DEPARTMENT
AGREEMENT AUTHORIZATION - ROUTING FORM**

Leg. File ID

Approval Process Complete

Submitted to COB

Agenda Date	n/a	Consent	
Contact Person	Sheena Morales x1393	Scheduled	
Phone	831 796-1393	Noticed	
Bureau	CLINIC SERVICES	Time needed	
Subject	Board Report and Amendment No. 5 to Agreement between Lucile Salter Packard Children's Hospital (LPCH) and Monterey County Health Department to extend term for Perinatology Specialty Services to 10/1/08 – 9/30/17 and increase NTE to \$1,080,000.		

APPROVED BY:	Yes/ No	By	Date	Comments
Director of Health (Required)	Y	Gmj	9/1/16	
Assistant Director of Health (Required)				
Bureau Chief (Required)	N/A	JS	8/31/16	
Bureau Finance Manager (if applicable)	Yes	NK	8/31/16	
Health Human Resources (if applicable)	N/A			
Health Technology (if applicable)	N/A			
Privacy Officer (if applicable)	N/A			

**HEALTH DEPARTMENT
RECEIVED**

AUG 31 2016

ADMINISTRATION